



Agenda

DATE 4/6/16 TIME 1:38
REMOVED BY David Chapman
REMOVED BY SS888

MAYOR'S COMMITTEE ON DISABILITY
THURSDAY, APRIL 21, 2016
10:00 A.M.
CITY COUNCIL CHAMBERS
200 LINCOLN AVENUE, SANTA FE, N.M.

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF THE AGENDA
4. APPROVAL OF MINUTES: FOR THE MARCH 17, 2016 MEETING
5. PUBLIC COMMENTS (15 MIN. TOTAL)
6. NEW BUSINESS
 - a) NORTH CENTRAL REGIONAL TRANSIT DISTRICT (NCRTD) AND SANTA FE TRAILS (SFT) FEASIBILITY STUDY – COUNCILOR JOSEPH MAESTAS
 - b) COMMUNITY DAY (SATURDAY, 5/14/16 10 A.M. TO 3 P.M.) SCHEDULING – MARCIA BOWMAN
7. OLD BUSINESS
 - a) MCD SUB-COMMITTEE REPORTS
 - b) TAXI UPDATE – AURORE BLECK
 - c) MCD BROCHURE DRAFT – AURORE BLECK
 - d) PROW TRANSITION PLAN UPDATE – DAVID A. CHAPMAN

ITEMS FROM MEMBERS AND STAFF (3 MINUTES)

- e) ADJOURN

NEXT MEETING MAY 19, 2016

PERSONS WITH DISABILITIES IN NEED OF ACCOMMODATIONS, CONTACT THE CITY CLERK'S OFFICE AT 955-6520, FIVE (5) WORKING DAYS PRIOR TO MEETING DATE.

THIS IS A FRAGRANCE FREE MEETING

****Please notify Marcia Bowman, Chair at 438-4382 and/or David A. Chapman, ADA Coordinator/Liaison, at 955-2012 if you are unable to attend.**

**SUMMARY OF ACTION
MAYORS COMMITTEE ON DISABILITY
CITY COUNCIL CHAMBERS
200 LINCOLN AVENUE
Thursday, April 21, 2016, 10:00 am**

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**MAYORS COMMITTEE ON DISABILITY
CITY COUNCIL CHAMBERS
200 LINCOLN AVENUE
Thursday, April 21, 2016, 10:00 am**

1. CALL TO ORDER

The meeting of the Mayor's Committee on Disability was called to order by Marcia Bowman, Chair, at 10:00 am, on Thursday, April 21, 2016, in 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
Mary McGinnis
Michael Wirtz
Nancy Pieters
Julie Tambourine
Coby Livingstone
Meriam Jawhar

MEMBERS ABSENT

OTHERS PRESENT

Councilor Joseph Martínez, telephonically
Bill Hon
Thomas Martínez, City of Santa Fe, Transit
Barbara Boltrek, City of Santa Fe, Risk and Safety
David Chapman, City of Santa Fe, Disability Liaison
Elizabeth Martin, Stenographer

Chair Bowman said Ron Dinkel was on the coast of Ecuador, in the way of the earthquake and basically lost everything. She read his email. He returned to Santa Fe, yesterday and hopes to return someday to Ecuador. Nancy's son is hoping they will move to Alabama to be closer to the grandchildren but that is not decided yet.

Where she located in Ecuador was not damaged but the coast was truly devastated. She is still looking at the possibility of going to Panama and is investigating other areas as well.

3. APPROVAL OF THE AGENDA

Mr. McQuarie suggested that an Item C be added for discussion on the median policy.

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

VOTE The motion passed unanimously by voice vote.

4. APPROVAL OF MINUTES March 17, 2016

Ms. Bleck said on page 1 it should say Ms., not Mr., it should be striping not strippling, on page 6 it is the Transit Advisory Board that is referred to in the 3rd paragraph from bottom, on page 7 in the top paragraph they are referring to NCRTD, Mike Kelley went to RTD should be added as something Ms. Bleck said and on page 8 we were talking about the Transit Advisory Board.

Mr. McQuarie said on page 3 in the second to last paragraph, curbs should be overlays.

Ms. Tambourine said on page 2 at the top neither are required by law needs to be added. On page 9, 4 lines down, it should say accosted. On page 10 near the bottom of the page, add that the City does not have the manpower and on page 12 his number is 0129.

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

VOTE The motion was passed unanimously by voice vote.

Ms. Tambourine said she is getting an alert from her service dog that something is bothering her.

There were two cell phones on. They were turned off.

5. PUBLIC COMMENTS

Bill Hon said he came to the meeting to get involved and sit in on meetings to find out what is going on in the City. He is a newly inducted member of the community. It is

amazing how much your eyes open when you become a member of the community. He has known Dave for sixteen years and has helped him with several issues. He is here to see if he can lend his voice and knowledge and help to this Committee more than he did before he became a member of the disabled community.

Ms. Tambourine said he is being very humble. He contributed in a huge way several years ago when he was working with the City. She is on the Mayor's Committee on the Homeless. She found that people with environmental sensitivity issues don't fit in with the homeless community. She lost her home in 2006 when Terminex treated the home and she became homeless. On the streets they put a contract on you if you don't participate in the kinds of things they do. Her nickname on the street was the lady who talked to the cops. She did work closely with the police to help the chemical sensitive folks. She was running a task force at the time to try to keep these people safe in Santa Fe. She and the Chief of police and Mr. Hon set up a crisis team. She had a placard for her car so she was allowed to park anywhere in the City and park overnight so these people could be kept away from the homeless people. We really saved lives. She had several people at that time who were suicidal and no one died. Mr. Hon is responsible for a lot of that.

Mr. Tambourine said Daniel Chacon may come to the meeting today.

6. NEW BUSINESS

A. NORTH CENTRAL REGIONAL TRANSIT DISTRICT (NCRTD) AND SANTA FE TRAILS (SFT) FEASIBILITY STUDY

Mr. Chapman contacted Councilor Maestas telephonically so that he could join the Committee and give his presentation.

Councilor Maestas said good morning everyone. He was sorry that he was unable to be there in person. By way of background, he used to be a Councilman and Mayor of Espanola. When he was Mayor the NCRTD was created. At that time he was approached by the NCRTD about providing transit services within Espanola. He thought here is a regional entity that specializes in public transportation. He decided without any study to basically turn over his public transit services to the regional district. It was fine for the employees because they have the same PERA and tenure and the benefits were retained. RTD has just taken over transit services in Taos. Processes are streamlined by having a regional entity who focus on one single service and they can do better than the City who provides an array of services. He felt that it was incumbent on the City to regionalize and combine services where possible. If you look at solid waste and public transportation we have entities providing those services. The regional entity is providing services all around the area but not in the City. He thought it was incumbent on the City to study this. We looked at other cities and saw that we had so many more public transit employees than other cities who were larger. We found that they had

regionalized their transportation and that convinced the administration to look into this.

Councilor Maestas said basically in this case for consolidation and the feasibility study it was the administration who contacted the regional transportation office and broached this. The regional office was very receptive to the idea. Their Board, a month ago, ratified a Letter of Intent and a Resolution to pursue this feasibility study subject to the approval of Council. Last week he sponsored a Resolution for the City to participate. RTD took action first. We followed suit. Both Governing Boards have ratified this Resolution and have agreed to move forward with the merger study. David does the Committee have the Letter of Intent and the Resolution in their packets.

Mr. Chapman said no, but he will get those to them.

Councilor Maestas said the process is to be 50/50 all the way through. Funding for the study will be from the Federal Government. The City is providing portion of the local match which is \$15,000. The total cost is \$150,000. It is well worth the exploration of consolidation. The next step is RTD will pursue the Federal funding and once that is secured a selection team of the City and RTD will be convened to write the scope for the RFP. That same team will be reviewing all the proposals that are submitted in response to the RFP. The City is an equal partner in the selection of the consultant to conduct the study. Change is hard and he understands the concerns. This is simply an objective feasibility study. There is still much to discuss and many details to work out.

Councilor Maestas said RTD is a recipient of Federal money. They are required to abide by ADA regulations. He has been appointed to the RTD board. On that Board voting strength is weighted by population so his vote is worth six votes. We have the highest voting strength on the Board. He asked the Mayor to be appointed to this Board to ensure that we have proper involvement in the merger study.

Councilor Maestas said he did attend his first RTD meeting. They did take action in approving a capital expenditure to retrofit bus stops outside the City. They have an ADA Compliance Plan in place and it is approved by the Federal Government. In that plan is a phased Capital Improvement Plan to address in their service areas. They are working on that to ensure they comply. They are not fully compliant yet but the plan ensures that they will become complaint. Are there any questions.

Mr. Chapman said thank you for joining us. Is the City going to be obligated to follow the recommendation of the feasibility study.

Councilor Maestas said there is no commitment that locks in the City. There will be many issues. There are lots of stops that are owned by the City that would have to be transferred. He is looking at the issue of freeing up GRT to rededicate it for more current needs. We have a 1/4 % GRT that is dedicated for public transportation and quality of life programs. He is going to ask if this merger is feasible in the absence of GRT funds. He is looking at repurposing existing GRT in a lot of areas and this is one

of them. If this study concludes that it is feasible only with GRT he will not support it. There are other financial issues that come into play here as well. There is an ulterior motive and that is can we free up the subsidy that is being used for public transportation. If that is not feasible it is a dead issue.

Chair Bowman asked if there are para transit facilities in Espanola and Taos through RTD.

Councilor Maestas said there are but they are not provided throughout the entire area. In Espanola they are only available within the City. He doesn't know about Taos because RTD just took that over.

Ms. Livingstone asked what are the hours of the transportation service for para transit.

Ms. Bleck said by law they are the same as the city bus.

Councilor Maestas said the intergovernmental agreement with RTD is in place that has a cooperative framework that facilitates our membership in the Regional Transit Board. That could be the mechanism to say that if we consolidate with RTD there would have to be checks and balances regarding service in Santa Fe. There is an Executive Order in place that any Federal entity or recipient of Federal funds cannot make any decision that has a disproportional impact on minority populations. Nor can they deprive service because of income or other reasons.

Ms. Bleck said we have been trying to get the bus stop in front of the Indian Hospital set so that you can dismount from the bus with a wheelchair or scooter. It is complicated. The City has tried. But the issue has been in limbo with the City for eighteen months. If you are disabled you can't get cheap public transportation to the Indian Hospital.

Councilor Maestas said one thing that baffles him is that since Jon Bulthuis took a job elsewhere our public transportation is stagnant and unable to solve problems like that. Ike Pino has taken over those responsibilities. He asked David to give Ms. Bleck his email and he will be happy to try to facilitate a solution for that. We need to continue to operate as we currently exist. He would be happy to help work on that.

Ms. Bleck thanked the Councilor.

Ms. McGinnis asked what is the timeline for the study to be completed.

Councilor Maestas said with the process of funding and doing the study, he is guessing it will be a matter of months. At a minimum two to three months. He does not know the maximum.

Ms. McGinnis asked what kind of hours of service does RTD provide for people with disabilities in Espanola and Taos.

Councilor Maestas said it was said that it is required to coincide with bus service. He will have to look into that information.

Ms. McGinnis said she is trying to find out what is happening in reality now.

Councilor Maestas said he did go through the application process for his mother. His mother needed services outside of Espanola for the doctor and other things. He was dismayed that the service is limited to the City of Espanola. He is going to push, if the consolidation is done, that the para transit area be expanded from City to City.

Ms. McGinnis said she would like to see that.

Ms. McGinnis asked presently, on the RTD Board, are there any people with disabilities serving on that Board.

Councilor Maestas said it is a large board. He has been to one meeting. The Board consists of members of government from each entity.

Ms. McGinnis said so there are no consumers on the Board.

Councilor Maestas said no, there are no at large members. One thing he is going to ask is that they look at evaluating the voting strength by service area. If the City consolidates with RTD it would more than double the service area. We would then be under represented. They may have to look at a different make up of the Board.

Ms. McGinnis thanked Councilor Maestas.

Councilor Maestas said thank you for allowing me to participate. If you have any follow up questions please email him and he will respond and find an answer for you. He asked for patience and understanding on this. It is all still very preliminary.

Chair Bowman and Mr. Chapman thanked the Councilor for his presentation for taking the time to discuss the issues with the Committee.

Councilor Maestas said thank you all for your hard work on this Committee. The work you do is very important.

Councilor Maestas ended his participation in the meeting.

B. COMMUNITY DAY SCHEDULING
Saturday, May 14, 2016, 10 am to 3pm

Chair Bowman said we need volunteers for Community Day. David Chapman has obtained a booth for us and he will set it up. She and Mike will both be out of town unfortunately.

There was discussion and members of the Board volunteered for the hours they were available. Mr. Chapman will make up a schedule.

Ms. Livingstone asked what are the duties.

Ms. Bleck explained that we man the booth, hand out brochures and talk to people.

C. DISCUSSION ON THE MEDIAN POLICY

Mr. McQuarie said he let the Board know at the last meeting that he requested a median policy for the city so that we could coordinate our plans. He finally got an answer back in writing from the City Manager, addressed to the Chair. This letter is incorporated into these minutes herewith as Exhibit "1". It says they followed Federal Policy adopted in 2012.

Mr. McQuarie had pointed out in his letter that the City was violating the anti-donation clause. In the reply letter his comments were outlined, however, that is not what he said regarding the City Charter violation. They asked for examples of curb ramps on commercial property. In the last review of curb ramps he pointed out two locations where there are no intersections but they are putting in curb ramps at commercial sites. On the previous curb cut project they did not even come to the meeting much less address the issues. If you go to Richards Avenue you will see commercial curb ramps and no city intersections. The policy is to do curb cuts when doing overlays. They are saying they are not in the right of way. They did an overlay at Agua Fria Street but are not doing curb cuts because of sidewalks. Are they going to make all the citizens walk in the street.

Mr. McQuarie said the new County Courthouse on Montezuma, they are not going to do those until 2019/20. That is when the project is lined up for it. According to ADA when you build a building you take care of it. The building was completed in 2011. They are supposed to do all intersections within thirty days. That means we, as citizens, will have to wait before they even consider it. The City said they currently have an open DOT ADA complaint. He is going straight to the DOT to report them and let it go into the Federal Register and let the feds deal with the City. The guy from the City has directed him to go to Council to get the date changed for the project. He is wrong. He went to the Council and asked them to get it done ASAP. He is not a City employee so

the City guy cannot fire him or tell him what to do. It is his job to work on these issues. It just shows you how inefficient they are. No one is here from the City to represent them regarding this letter they wrote. He asked them to be here. He would like to hear if any members have comments about getting help from the City or related issues.

Ms. Bowman said she contacted the City on automatic doors at the Water Department. It was eventually done.

Ms. Livingstone said she did not follow totally. How do we know that they did not put in the curb cut.

Mr. McQuarie said we can go to the corner and there is a 90% chance that it is not compatible with current ADA regulations. If it is not there and the street has been overlaid it is the City responsibility to do that.

7. OLD BUSINESS

A. MCD SUBCOMMITTEE REPORTS

TRANSPORTATION

Ms. McGinnis said we do not have a report yet. The Transit Advisory Committee is meeting next week. We will have a report for next month's meeting.

Ms. Bleck said she needs to correct what she said in the last meeting. The Board did ask to meet you. It was decided they need a letter of interest and they would like both of our nominations for membership to come to a meeting to meet the Board. Maybe you can do that sometime in the future.

Ms. Livingstone asked where and when is the meeting.

Ms. Bleck said it is on Tuesday at the Transit Office on Rufina from 5:00 pm to 7:00 pm. If you don't want to stay for the entire meeting we can put you at the beginning of the agenda.

Mr. McQuarie said two weeks ago he attended the City Council meeting and they did authorize the survey to be conducted. The survey is being done by the Director of RTD and he has solitary control. He has heard only extremely negative comments about this issue. He has also heard that RTD is going bankrupted and they want the City Yard and Transit Office so they can use it since they can't afford to build one.

Ms. McGinnis asked how did you find out these things.

Mr. McQuarie said he goes to Council, reads the paper and talks to people.

PLAN REVIEW

Mr. McQuarie said you have one report in your meeting packet. It is where they are putting in a trail across Alameda. There is a school there. He advised them that the crossing should be widened. They are putting in a 10 foot curb cut. He said they should carry it through all the way. Also he did a plan review on the one on Montezuma. That plan review is not in the packet. He said it needs a pedestrian crossing. That was not received well. We had a three hour discussion about current curb ramp projects. The City person was there. He was condescending and bullying in his presentation. He tried to get across ADA concerns but the City employee's attitude was that he was too dumb to know the difference. He is the one who said we are not putting in crossings on these streets because you people cannot make a rational decision. That tells you what his attitude is. He is still waiting for copies from David.

Mr. Hon asked what is in place for this Committee to do plan reviews for not only street curb cuts but also buildings and other projects. What kind of say so do you have as the Mayor's Committee in the finalization of plans.

Mr. McQuarie said right now this Committee is authorized and directed by the Council Resolution founding this Committee that says that all Public Works projects and projects in the City on City property must be reviewed and commented on by this Committee after a certain dollar amount. Pedestrian crossings are reviewed at any dollar amount, building revisions above \$10,000 and it goes on. The review is inclusive of anything that could have an impact on ADA. We are supposed to review and comment on those things. Right now we as a Committee rely on City staff to submit plans for review. They have been pretty good except for certain sections or City divisions who are very reluctant because they don't want to be asked what they are doing.

Mr. Hon said that is based on City projects or buildings built on City land. Is there a process otherwise.

Mr. Chapman said reviews are outlined under our Duties and Responsibilities in the Resolution that created our Committee. He read the pertinent section.

Mr. Hon said thank you. He was just wondering if anything was in place for review of plans for private construction.

Mr. Chapman said the City Planning Division does those.

Mr. Hon asked who oversees that for concerns of the disabled.

Mr. Chapman said the City permitting people make those calls for the Committee.

Mr. McQuarie said any commercial endeavor that is going on or coming up can be reviewed by the Governor's Committee on Disability upon request. It does not have to be a formal request.

Mr. McQuarie said he wishes to add something to his Plan Review report. He forgot the Bus Transfer Station. We did that as well. There are no shelters or bathrooms. How can they have people standing around with no shelter. They show a twelve foot space. If they put it in will they be compatible with ADA. Aurore and Mary need to know this so they can report it to the Transit Advisory Committee.

Ms. Tambourine asked where is this.

Mr. McQuarie said it is on Sheraton Avenue downtown.

Ms. Bleck asked weren't there shelters in the plan originally.

Mr. Martínez said they are provisionally planned for. Right now they are getting the street done and other improvements and then will do the shelters.

Ms. Bleck said so when the buses are actually using the space.

Mr. Martinez said yes.

Mr. McQuarie asked will the shelters be ADA complaint.

Mr. Martínez said yes.

Mr. McQuarie said he doubts that seriously. They will not have space for the pedestrian walkway.

Mr. Chapman said it is not on the plan yet.

Chair Bowman said hopefully they will show up in later plans.

MEDIA

Ms. Tambourine said Daniel Chacon of The New Mexican came to the meeting briefly last month. She met with him afterwards for an hour and he is interested in coming to meetings when he can. We tried to get a meeting to talk about what is going on with transportation and the changes coming up and how it effects people with disabilities. We will have that meeting. Meeting here in the Council Chambers makes us much more accessible to the public.

B. TAXI UPDATE

Ms. Bleck reported that she did not have any information. All of the institutional memory is gone from Transit.

Mr. Martínez said he will put in a call to the cab company to see what is going on.

Ms. Bleck said the cab company sees Transit in disarray and he has not bothered to respond to me. She heard that someone is working on a lease for him.

Mr. Martínez said he will find out the information.

Ms. Bleck said maybe we should go back to an open house with the Mayor and talk about it again. It is ongoing.

Mr. Chapman said he will call Councilor Maestas about this issue as well.

C. MCD BROCHURE DRAFT

Ms. Pieters left the meeting

Ms. Bleck handed out a draft of a brochure she had worked on. This draft is incorporated herewith to these minutes as Exhibit "2".

She said she took the old brochure document and added the new links David gave her and also a list she found on the website. The main thing she did was change a bit of the organization of the brochure. Before there had been three categories and now there are four, including Wellness, Health and Care resources. She took out the New Mexico Relay Telephone Service as it seems to be overtaken by technology but the website is below it and that stays on.

There was discussion regarding other items that could be added or put back on. Several Board members are going to get information back to Ms. Bleck for the brochure.

Ms. Bleck said David is going to format this for us and print it.

Ms. Tambourine said this is great. We really appreciate your work on this. Thank you for the college resources. She has met with the attorney at Higher Education. She can't find anywhere to get help to apply for scholarships.

Ms. Bleck said check out those Websites. Hopefully they will help you.

Chair Bowman said thank you Aurore. Great job.

D. PROW TRANSITION PLAN UPDATE

Mr. Chapman said he had a PROW Plan meeting yesterday and Mr. McQuarie was there as well. We are going to be meeting again the first of May to work out some specific GIS concerns. The most important thing is that we have involvement from all the key players in this Transition Plan who can offer a lot of direction and help. In the RFP he wrote for the project he defined the scope of work area as within the City limits. MPO brought up that we have other areas that at some point may be annexed into the City and they asked what about those. He sent out an email to KFH asking them to delineate those areas and give us a quote of what adding those areas would be. He will follow up with the County to see if they are interested in that and he will find out the cost.

Mr. McQuarie said he asked one question at the meeting about a hard definition of public right of way. KFH told him they did not know what it was, there are so many factors and definitions. They did say later on in the meeting that they will give him a sheet with all the definitions by the first of May.

8. ITEMS FROM MEMBERS AND STAFF

Ms. Jawhar said she had knee replacement surgery on April 7th. She was out of the hospital the next day. Right now she is balancing pain and not taking narcotics. You have to know what you can do during the day. She does have pain but is doing ok and is very grateful. She is interested in knowing what you come up with for service where she lives by Ridge Top Road.

Mr. Chapman said he will have to look at the zoning. If it is outside the city limits he will follow up with them on that.

Mr. McQuarie said the southern city limits are the Interstate. Rancho Viejo is not in the City.

Ms. Bleck said she got robbed. Her computer was taken and her jewelry. Someone jumped the fence and broke into her window. It was rough.

Chair Bowman said it is a personal invasion. She is so sorry that happened.

Mr. Wirtz said a couple of folks have commented to him about the Post Office on Pacheco. They used to have benches and they have removed the benches and now people have to stand in line for upward of thirty minutes. It is difficult for people with disabilities. Also quite a few people have contacted him regarding the IPM Resolution that was passed in 1999. Apparently the City has recently hired Victor Lucero as the

new coordinator for IPM. They are very upset because he has said he isn't going to follow the Resolution. There are concerns from the disabled community and others. Pesticides and herbicides can lead to severe illness. He and his wife visited with the Mayor before she passed and he was very supportive of the Resolution. He would like to pass on the concerns. We need to get Mr. Lucero in line with the Resolution. Maybe we could ask Mr. Lucero and Mr. Thompson to be at our next meeting.

Chair Bowman said that would be great.

Mr. Wirtz said there is a large cry out there. It may be defused if we can have a face to face with these folks.

Ms. Tambourine said we have sat down face to face. We need to be very prepared when they come to speak with us. Some of the chemicals they are using are not considered toxic. They are following the Resolution. If they do use these chemicals she will not be able to access anything in Santa Fe. They will be doing medians and elm trees. It has not been done in ten years. She has to speak for people who are invisible, the homeless and homeless veterans. They live outside. We are going to have a very difficult time stopping this. This Committee could be helpful. Rob Carter is supportive of people with disabilities. They are saying they are going to use the chemicals as a last resort. It is going to take a lot of people to tackle this. She does not know of anyone organizing this right now. She is busy with her trial with Terminex and is homeless. She is very concerned. The advocates we know of are not available. When she said organize she also means you have to see the other side. We don't have anyone to mediate. The City has a job to do. They have to maintain and get rid of pests. Apparently there is no other operation that is working. She was told the Mayor has said Syrian refugees are wanted and welcome here. The City was willing to work with volunteers to pull weeds and things like that. They could volunteer. If we don't do something we are going to have a lot of people really sick.

Mr. Wirtz said he understands the new Councilor, Councilor Villarreal is very supportive of the Resolution.

Ms. Tambourine asked can anyone help me. She attended a presentation by the Mayor at the University of Art and Design a month ago. It was a very well attended meeting with authors about sustainability. They had many big officials there. We need to find a way to present to the Mayor that we don't need Santa Fe to be known for the fact that for ten years we have not been using these chemicals and now we are doing it. She needs help with this.

Ms. McGinnis asked Mr. Wirtz who is the new contact for the Chemically Sensitive Task Force.

Mr. Wirtz said Marjorie Young and gave Ms. McGinnis her phone number.

Ms. McGinnis said she has someone who wants to get his landlord to stop spraying.

Ms. Livingstone said she appreciated having everyone announced when new people come into the room. It is helpful to know.

Mr. McQuarie said there was recently a newspaper article about the City wanting to decriminalize the abuse of accessible parking. People don't care, if nothing happens to them. It is a bit better with the signs that we have about penalties. Are we going to revert back to what it was in 1990 trying to get a parking space. It was brought before Council on the consent calendar. They are going to have a public hearing in the Finance Committee. If they have a public hearing he will go. Oscar did a financial report saying it would have no fiscal impact. If they change the signs who is going to pay for that.

Ms. Tambourine said there is a serious issue at the Chavez Center regarding the inability to access the three bathrooms that are ADA accessible. Part of the problem with complaints at Salvador Perez is that they are trying to turn the pool into the Chavez facility. You cannot get into those bathrooms. Teenagers and kids are always in the family and ADA bathrooms and you can't use them or the showers there. We have another issue with the Chavez Center. The custodial staff is closing down the bathrooms two hours before the center closes. They are telling her they are closed. David Chapman and Rob Carter are working together closely and we have been meeting and have been talking to Carter. She will report more next month.

9. ADJOURN

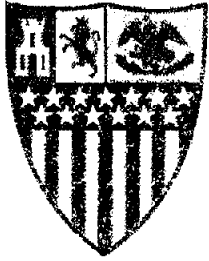
The meeting adjourned at 12:10 pm.



Marcia Bowman, Chair



Elizabeth Martin, Stenographer



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

www.santafenm.gov

Javier M. Gonzales, Mayor

Councillors:

Signe I. Lindell, Mayor Pro Tem, Dist. 1

Renee Villarreal, Dist. 1

Peter N. Ives, Dist. 2

Joseph M. Maestas, Dist. 2

Carmichael A. Dominguez, Dist. 3

Christopher M. Rivera, Dist. 3

Ronald S. Trujillo, Dist. 4

Mike Harris, Dist. 4

April 14, 2016

Ms. Marcia Bowman, Chair

City of Santa Fe Mayor's Committee on Disability

c/o David Chapman, Grant Administrator-Writer / ADA Coordinator

City of Santa Fe

2931 Rufina Street

Santa Fe, NM 87507

Re: ADA Curb Ramp Improvements Policy

Dear Ms. Bowman:

I am writing in response to the letter from David McQuarie forwarded to me on March 2, 2016 via email from David Chapman. I am addressing my reply to you as Chair of the Mayor's Committee on Disability (MCD), rather than to Mr. McQuarie as Chair of the MCD Plan Subcommittee, because I believe that its content will be of interest to the entire MCD membership. A copy of Mr. Chapman's email is attached.

First, and most importantly, Mr. McQuarie's letter requests me to have City staff develop a policy for ADA curb ramp improvements. However, the City already follows as policy for such improvements the guidance provided in the attached "Briefing Memo" issued jointly by the U.S. Departments of Justice and Transportation (the Policy). The Policy specifies which asphalt and concrete pavement treatments constitute alterations, requiring installation of curb ramps as part of the scope of the work, and which constitute maintenance, which do not require curb ramps. In accordance with the Policy, the City makes improvements to curb ramps when making alterations, but not when undertaking maintenance projects.

Mr. McQuarie also expresses concern in his letter that the City is violating Article 9, § 14 of the New Mexico Constitution, known as the "anti-donation clause", by making curb ramp improvements on private commercial property. We are not aware of any such improvements. If Mr. McQuarie will identify the specific location where he believes such improvements have been made, we will investigate the matter and report back to the MCD on the outcome.

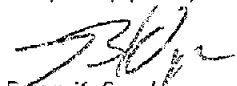
Exhibit "1"

Finally, Mr. McQuarie states that curb ramps installed as a result of ADA Complaint DOT 2004-0152 were improved by the City only after being directed to do so by the Federal Highway Administration. As the referenced complaint appears to have pre-dated the Policy, which resulted from meetings held in March 2012 and 2013 for the purpose of providing clarification as to when curb ramp improvements are and are not required under the ADA, and as any violation appears based on Mr. McQuarie's statement to have been addressed, I can add little except to reiterate that the City has followed the Policy since its issuance.

I would appreciate your providing this information to the MCD at its April 21, 2016 meeting. As the City already applies the Policy uniformly in determining whether curb ramp improvements should be included in project scopes of work, any efforts by the MCD Plan Subcommittee to develop a policy on the matter would be duplicative and might conflict with the federal guidance.

Please let me know if you have any comments or questions with respect to this matter.

Very truly yours,


Brian K. Snyder
City Manager

- c. David McQuarie, Chair, MCD Plan Subcommittee
- Ike Pino, Public Works Director
- John J. Romero, Traffic Engineering Division Director
- Kelley A. Brennan, City Attorney

SNYDER, BRIAN K.

Subject: FW: ADA Ramp Improvement Policy

From: CHAPMAN, DAVID A.

Sent: Wednesday, March 02, 2016 2:35 PM

To: SNYDER, BRIAN K.

Cc: PINO, ISAAC J.; RODRIGUEZ, OSCAR S.; ROMERO, JOHN J; Bowman, Marcia; McGinnis, Mary; Pieters, Nancy; pecosbaldy@cybermesa.com; Bleck, Aurora; Livingstone, Coby; Jawhar, Meriam; Lisa.Neale@dot.gov

Subject: ADA Ramp Improvement Policy

This correspondence is submitted on behalf of David McQuarie, Mayor's Committee on Disability (MCD) Plan subcommittee Chair.

Dear Mr. Snyder,

It is requested that you have Road and Trails staff develop a policy for ADA Improvement of all ramps in the City. Originally, about 2004, a local FHWA field-engineer recommended to a Santa Fe road engineer that they develop a policy for ADA compliance of City intersections. This has not been done.

I make this request to assist my Plan Review Subcommittee, which I Chair, with an uniform interpretation of how the ramps will be improved. Currently, it is the practice of City staff to vacillate on the interpretation of when ramps should be installed and or improved. It seems that the City's interpretation changes from one year to the next.

Of additional concern, 1. is the apparent disregard of the Santa Fe Charter Clause regarding anti-donation as ramp improvements have been made on commercial property and; 2. ramps previously installed as a result of ADA Complaint DOT 2004-0152 were ultimately improved by the City only after being directed by the FHWA to do so.

Please have Mr. Romero of Traffic Engineering present this proposed policy to the Mayor's Committee on Disability (MCD) at their April 21, 2016 meeting for review and comment. However, in order that MCD members may be knowledgeable on this issue, please have Mr. Romero submit a draft to them by April 4, 2016.

By copy of this letter Ms. Marcia Bowman and David Chapman are requested to include Mr. Romero on the April MCD Agenda. Please respond to me by phone because I do not have internet.

Thank you,

Dave McQuarie
Phone: (505)471-5785

BRIEFING MEMO

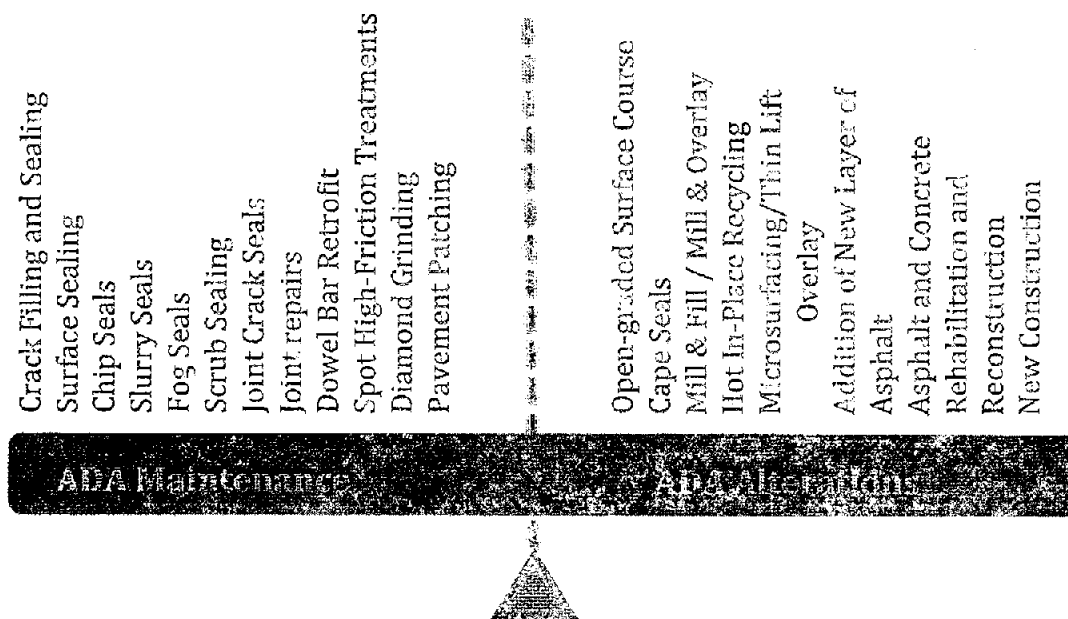
SUBJECT: Department of Justice/Department of Transportation Joint Technical Assistance on Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing

ISSUE: Throughout the nation, there are different interpretations and inconsistencies in enforcement of when curb ramps are required.

BACKGROUND: The Americans with Disabilities Act of 1990 (ADA) is a civil rights statute prohibiting discrimination against persons with disabilities in all aspects of life, including transportation, based on regulations promulgated by the United States Department of Justice (DOJ). DOJ's regulations require accessible planning, design, and construction to integrate people with disabilities into mainstream society. Further, these laws require that public entities responsible for operating and maintaining the public rights-of-way do not discriminate in their programs and activities against persons with disabilities. FHWA's ADA program implements the DOJ regulations through delegated authority to ensure that pedestrians with disabilities have the opportunity to use the transportation system's pedestrian facilities in an accessible and safe manner.

FHWA and DOJ met in March 2012 and March 2013 to clarify guidance on the ADA's requirements for constructing curb ramps on resurfacing projects. Projects deemed to be alterations must include curb ramps within the scope of the project.

SUMMARY OF GUIDANCE CLARIFICATION: This clarification provides a single Federal policy that identifies specific asphalt and concrete-pavement repair treatments that are considered to be alterations—requiring installation of curb ramps within the scope of the project—and those that are considered to be maintenance, which do not require curb ramps at the time of the improvement.



This approach clearly identifies the types of structural treatments that both DOJ and FHWA agree require curb ramps (when there is a pedestrian walkway with a prepared surface for pedestrian use and a curb, elevation, or other barrier between the street and the walkway) and furthers the goal of the ADA to provide increased accessibility to the public right-of-way for persons with disabilities. This single Federal policy will provide for increased consistency and improved enforcement.

MOVING FORWARD:

Divisions are expected to initiate discussions with their Partnering Agency / State to:

- 1) Disseminate this clarification with regard to when curb ramps are required
 - a. States are expected to inform/assist local agencies
- 2) Establish a plan to implement this single Federal policy as soon as practical
 - a. FHWA Headquarters is not providing a set deadline for all projects to comply with this policy.
 - b. Projects that are ready for Construction Advertisement or are under contract may proceed.
 - c. The Division should evaluate the projects in the state pavement preservation/resurfacing program and agree on projects to comply with this policy.
 - d. The Division should work with its Partnering Agencies / States to evaluate and modify, if necessary, their existing resurfacing ADA policies to comply with this policy.

POINTS OF CONTACT:

Brooke Struve, RC Safety & Design Team, CTSRC-LAK, 720-963-3270, Brooke.Struve@dot.gov

Candace Groudine, Director-External Civil Rights, HCR, 202-366-4634, Candace.Groudine@dot.gov

Robert Mooney, Pre-Construction Team Leader, HIPA, 202-366-2221, Robert.Mooney@dot.gov

David Santa Fe Mayor's Committee on Disability

A Guide to Accessibility

Resources

Santa Fe Mayor's Committee on Disability (MCD)

The MCD is the Mayor's appointed committee to resolve disability issues within the City. The Committee meets on the third Thursday of each month from 10:00 A.M. to 12:00 P.M. in the City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico 87507. Meetings are open to the public. For more information, please contact:

David A. Chapman, ADA Coordinator / Staff Liaison (505) 955-2012,
dachapman@santafenm.gov

Or visit:

http://www.santafenm.gov/mayors_committee_on_disability_1 [This links to a page with the wrong meeting place and the 2014 committee].

"Our commitment to Human Rights is better measured by our actions and deeds than well said words or wishful thinking."

Mayor Javier M. Gonzales

rev. 5/16

Additional Resources

- **Santa Fe Transit System**
Santa Fe Trails - Public bus transportation. 505-955-2001
<http://www.santafenm.gov/transit>

Santa Fe Ride - Paratransit system for people with disabilities. 505-955-2001 or 505-473-4444 or 505-955-2022 TTY
http://www.santafenm.gov/santa_fe_ride

Santa Fe Pick-up - Free shuttle around the downtown area. 505-231-2573
http://www.santafenm.gov/santa_fe_pickup_shuttle

- **Assistance Dogs of the West**
(ADW) 505-986-9748 or toll free 866-986-3489
<http://www.assistance dogs of the west.org/>

- **New Vistas (NV) 505-471-1001**
Community-based services for persons with disabilities. Early childhood services: 505-988-3803. <http://www.newvistas.org/>

- **Independent Living Resource Center in Albuquerque**
505-266-5022 (v/tty) or 800-260-5022
<http://ilrcnm.com/>

- **Community Options, Inc. 505-989-1471 Santa Fe; 505-265-7936 Albuquerque**

Provides housing support and advocacy services to people with disabilities.
<http://www.comop.org/about-us/our-offices/new-mexico/>

- **Kitchen Angels 505-471-7780**
Delivers free, freshly prepared meals five days a week to home-bound chronically ill individuals living within the greater Santa Fe area.
www.kitchenangels.org

Wellness, Health and Care Resources

- **Senior Services**
505-955-4721 or toll free 866-824-8714
Classes, fitness, congregate meals, Senior Van and other services for people over sixty. Free or nominal

fee.

http://www.santafenm.gov/division_of_senior_services

- **Challenge New Mexico: Therapeutic Riding Program 505-988-7621**

Provides a therapeutic riding program and life skills training children and youth --1 to 21 years of age with physical and developmental disabilities. Contact: director@challenge newmexico.com
www.challengenewmexico.com

- **Las Campanas Compadres 505-820-2707**
Provides free horse rides and social therapeutic activities people with disabilities.
<http://lascampanascompadres.org/>

- **National Dance Institute of Santa Fe 505-983-7646**

Classes are inclusive: children with special needs and disabilities dance along with their classmates. Contact mwolfe@ndi-nm.org or <http://www.ndi-nm.org>

- **Tai Chi for Arthritis and Balance 505-471-1001 ext. 118**

Gentle movement is supportive of joint health and improves flexibility, range of motion, and balance. Contact Ken Seabry. kseabry@newvistas.org

- **Neuro-Acupuncture Institute of Santa Fe PHONE NUMBER**

Symptom relief and treatment for neurological problems such as brain injury, cerebral palsy, dementias, multiple sclerosis, Parkinson's, and stroke.
Website anticipated 4/15/16

- **Alzheimer's Helpline (available 24/7) 800-272-3900 (voice); 866-403-3073 (TDD)**

http://www.alz.org/we_can_help_24_7_helpine.asp

Exhibit 5

- **Cerebral Palsy Guide 855-329-1008**
Emotional, medical, and financial resources.
<http://www.cerebralpalsyguide.com>

- **National Alliance on Mental Illness**
- **800-950-NAMI**
<http://www.nami.org/>

- **Tourette Syndrome Association of New Mexico**

For information: info@tsanm.org

ite Resources

- **Governor's Commission on Disability (GCD) 505-476-0412 or 877-696-1470**

Provides assistance in resolving access issues throughout the state.

<http://www.gcd.state.nm.us>

- **[CUT??]New Mexico Relay Telephone Service 800-659-1779**

Free telephone services and equipment for deaf, hard-of-hearing, or speech-impaired residents.
<http://www.cdhh.state.nm.us/TRS.aspx>

- **New Mexico Commission for Deaf and Hard of Hearing Persons (NMCDDH) 800-489-8536; 505-383-6541 (TTY)**
<http://www.cdhh.state.nm.us/>

- **New Mexico Commission for the Blind 505-476-4479 or 888-513-7968**

Provides vocational rehabilitation and independent living services designed for those who are vision impaired or blind.

<http://www.cfb.state.nm.us/>

- **[cut??]New Mexico Developmental Disabilities Planning Council (NMDDPC)**

505-476-4799

Services for people with developmental disabilities throughout the state of NM.
<http://www.nmaging.state.nm.us/>

- **New Mexico Aging and Long-term Services 800-432-2080**

Provides assistance, advice and resources to seniors and people with disabilities.

<http://www.nmaging.state.nm.us/>

- **[cut??]New Mexico Division of Vocational Rehabilitation (DVR) 505-827-3526**

For employment services and counseling.

<http://www.dvrgetsjobs.com>

- **Disability Rights New Mexico 505-256-3100 (voice/TTY)**

Formerly the New Mexico Protection and Advocacy System, this group of advocates and attorneys represent the interests of persons with disabilities.

<http://drnm.org/>

- **Center for Development and Disability 505-272-3000**

At the University Of New Mexico. Disseminates information, including online resources on developmental disability.

<http://cdd.unm.edu>

- **New Mexico Department of Human Services, Working Disabled Individuals (WDI) Program 505-827-**

6208

<http://www.hsd.state.nm.us/mad/workingdisabled.htm>

- **New Mexico Department of Workforce Solutions 877-664-6984; 505-841-8617(TTY)**
<http://www.dws.state.nm.us/>

- **New Mexico Department of Veterans' Services 505-827-6300**

<http://www.dvs.state.nm.us/> [down for maintenance]

- **New Mexico Center on Law and Poverty 505-255-2840**

Provides legal advice and advocacy to anyone who is low income, disabled, and/or receiving government benefits.

Email: contact@nmpovertylaw.org

<http://nmpovertylaw.org/>

National Resources

ADA Accessibility and Accommodations

- **U.S. Department of Justice Information and Technology Assistance on the Americans with Disabilities Act (ADA)**

File a complaint here about violations regarding state and local laws, public or commercial accommodation, and private or non-profit businesses.

ADA Information Line: 800-514-0301 (voice) and 800-514-0383 (TTY); <http://www.ada.gov> and <http://www.ada.gov/infoline.htm>

- **U.S. Access Board**

Focuses on information and architectural barriers and access

transportation and medical care.
800-USA-ABLE or 800-872-2253
<http://www.access-board.gov>

- **Disability.gov**

Information on programs and services.
<https://www.disability.gov/>

- **American Association of People with Disabilities**

Organization that provides advocacy on disability issues.
202-457-0046 (V/TTY) or 800-840-8844 (V/TTY)
<http://www.aapd.org>

Legal Resources

- **Affordable Colleges Online**

Good resources for all students and special sections for students with disabilities for financial and accessibility resources, including help for cyberbullying.

<http://www.affordablecollegesonline.org>
<http://www.affordablecollegesonline.org/college-resource-center/cyberbullying-awareness>

- **Money Geek**

Good resources for students and financial options for home renovations (under "Mortgages") to adapt for disability needs.

<http://www.moneygeek.com/education/college/resource/s/scholarship-guide-for-students-with-disabilities>

- **Equal Employment Opportunity Commission**

File a complaint here about violations of employment law. The website has many fact sheets and other links.

800-669-4000 (voice); 800-669-6820 (TTY)

<http://www.eeoc.gov/laws/types/disability.cfm>

- **U.S. Department of Labor Office of Disability Employment Policy**

866-ODEP-DOL or 866-633-7365 (voice); 877-889-5627 (TTY)

<http://www.dol.gov/odep/>

Job Accommodation Network:

800-526-7234 (voice); 877-781-9403 (TTY)

<http://www.dol.gov/odep/resources/JAN.htm>

<http://www.askjan.org>