



Agenda

CITY CLERK'S OFFICE

DATE 4/5/17 TIME 4:07pm

SERVED BY David A. Chapman

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**MAYOR'S COMMITTEE ON DISABILITY
THURSDAY, APRIL 20, 2017
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 16, 2017 MEETING
5. PUBLIC COMMENTS (15 MIN. TOTAL)
6. NEW BUSINESS
 - a) COMMUNITY DAY (MAY 13, 2017) PLEDGE – DAVID A. CHAPMAN
 - b) RELEVANCE OF THE GIS COMPONENT IN THE PROW PLAN TO OTHER CITY FUNCTIONS –DAVID BARSANTI GIS ANALYST
7. OLD BUSINESS
 - a) MCD SUB-COMMITTEE REPORTS
 - b) HOMELESS ISSUE INFORMATION/DISCUSSION – AURORE BLECK & KATHLYNE GISH
 - c) MCD RESOLUTION UPDATE – DAVID A. CHAPMAN
 - d) INTEGRATED PEST MANAGEMENT INFORMATION/DISCUSSION LETTER – MICHAEL WIRTZ
 - e) HR 4419 UPDATE – NANCY PIETERS
 - f) SECOND STREET / CERRILLOS ROAD BUS STOP ISSUE DISCUSSION – AURORE BLECK

ITEMS FROM MEMBERS AND STAFF (3 MINUTES)

8. ADJOURN

NEXT MEETING MAY 18, 2017;

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 Aurore Bleck, Chair at (505)473-2060 and/or David A. Chapman, ADA Coordinator/Liaison, at (505)955-2012 if you are unable to attend.**

**SUMMARY OF ACTION
MAYOR'S COMMITTEE ON DISABILITY
CITY COUNCIL CHAMBERS
200 LINCOLN AVENUE
THURSDAY, APRIL 20, 2017, 10:00 AM**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER		1
ROLL CALL	THERE WAS NOT A QUORUM	1
APPROVAL OF AGENDA	ACTION NOT TAKEN FOR LACK OF A QUORUM	1
APPROVAL OF MINUTES	ACTION NOT TAKEN FOR LACK OF A QUORUM	1-2
PUBLIC COMMENTS	NONE	2
<u>NEW BUSINESS</u>		
COMMUNITY DAY PLEDGE	INFORMATION/DISCUSSION	2
RELEVANCE OF THE GIS COMPONENT IN THE PROW PLAN TO OTHER CITY FUNCTIONS	INFORMATION/DISCUSSION	2-4
<u>OLD BUSINESS</u>		
MCD SUBCOMMITTEE REPORTS	INFORMATION/DISCUSSION	4-5
HOMELESS ISSUE INFORMATION AND DISCUSSION	INFORMATION/DISCUSSION	5
MCD RESOLUTION UPDATE	INFORMATION/DISCUSSION	5
INTEGRATED PEST MANAGEMENT LETTER	INFORMATION/DISCUSSION	5-6

HR 4419 UPDATE	NONE	6
SECOND STREET/CERRILLOS ROAD BUS STOP ISSUE DISCUSSION	INFORMATION/DISCUSSION	6-7
ITEMS FROM MEMBERS AND STAFF	INFORMATION/DISCUSSION	7
NEXT MEETING	MAY 18, 2017	7
ADJOURN	ADJOURNED	7

**MAYOR'S COMMITTEE ON DISABILITY
CITY COUNCIL CHAMBERS
200 LINCOLN AVENUE
THURSDAY, APRIL 20, 2017, 10:00 AM**

1. CALL TO ORDER

The meeting of the Mayor's Committee on Disability was called to order by Aurore Bleck, Chair, at 10:00 AM, on Thursday, April 20, 2017, at the City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT

Aurore Bleck, Chair
Dave McQuarie, Vice Chair
Michael Wirtz
Meriam Jawhar
(Vacancy)
(Vacancy)

MEMBERS ABSENT

Nancy Pieters
Julie Tambourine, Excused
Kathlyne Gish, Excused

There was not a quorum present therefore, no action can take place.

3. APPROVAL OF AGENDA

Postponed due to the lack of a quorum.

**4. APPROVAL OF MINUTES
MARCH 16, 2017**

Chair Bleck said on page 1, it should say Mayor's. On page 3 take out and hospital and fix NCRTD. On page 4 it should be NCRTD. On page 6 it is the GCCC Skate Park, also in the last paragraph it should be the Transit Advisory Board. Also on page 6 people is on the minutes twice and on page 8, in the second paragraph is should be or unloading.

An email was sent by Ms. Gish asking that on page 11 the wording be changed to say she participated as a panelist and spoke about the Section 8 Housing discrimination in Santa Fe.

5. PUBLIC COMMENTS

There were no members of the public present.

6. NEW BUSINESS

A. COMMUNITY DAY PLEDGE

Mr. Chapman said Community Day is on May 13th. He needs volunteers to help out with the day. The event is from 10:00 am to 3:00 pm. He will get there at 8:00 am to set up and will be there the whole day. He will bring handouts and the brochure, a canopy, table and chairs.

Chair Bleck volunteered for 10:30 am to 12:30 pm.

Mr. Wirtz volunteered for 12:30 pm to 3:00 pm.

Mr. McQuarie volunteered from 10:00 am to 2:00 pm.

B. RELEVANCE OF THE GIS COMPONENT IN THE PROW PLAN TO OTHER CITY FUNCTIONS

Mr. Chapman said Mr. Barsanti, the GIS Analyst, just received the GIS information last Tuesday and has not had time to fully review it. We will reschedule this presentation for our May meeting.

Mr. McQuarie asked are all the City deficiencies captured in the report.

Mr. Chapman said in the City budget just approved by the Finance Committee, they approved full funding for an ADA Coordinator whose only focus is ADA. His position will go back to just grant writing and grant administration. The thinking is that they will get someone who has the time and expertise to take that over.

Mr. McQuarie said the survey picked up a lot of things that are engineering issues. The Engineering Department needs to develop a plan on when they will do it. City staff is very lax. There was a letter sent out to the City Manager asking for them to take care of issues and stating that if they did not the items would be turned over to the Department of Justice for them to fine the City.

Chair Bleck asked what were they supposed to have done.

Mr. McQuarie said in the Transition Plan the deficiencies were outlined. Those items have not been taken care of. In the 2010 Plan they were supposed to do a survey of public right of way. It was not done. That is what led to the current survey being done. It is a Federal requirement. The only things that were done were the City Parks but not the City buildings in regards to accessibility, bathrooms, doorways and other issues.

Chair Bleck asked how do we schedule these things and not let it go by.

Mr. McQuarie said our previous Chair did a letter to the City Manager regarding these issues. It was ignored.

Mr. Chapman said the addition of an ADA Coordinator will help to bring these issues to the forefront. His grants administration and grant writing job is full time. A full time ADA Administrator is needed and necessary. He is under Finance now. The new ADA Coordinator will be under Engineering.

Chair Bleck said we could identify priorities that the ADA Coordinator could address and after that is completed, move on to another list of items.

Mr. Chapman said yes that person can do that and work with the City to show what they have already done. We have to be in compliance by providing a schedule of when this work will be done. He has a copy of the plans. He is thinking funding will be coming in the next fiscal year. They are very aware of the need.

Mr. McQuarie said in 2010 the Council accepted the report and they approved the City staff to do the work and to develop a plan. The City developed a 7 year plan for over \$7 million dollars. That plan was forgotten.

Chair Bleck asked could the Coordinator get that plan on track.

Mr. McQuarie said the Coordinator could not be responsible. The City Manager has to delegate that responsibility to a person no lower than a Department Head. The City Manager is ignoring that.

Mr. Chapman said the City is taking little steps but getting the right person in will take this to a higher level.

Mr. McQuarie discussed the salary and the system.

Chair Bleck stated with that having that person in place should help us.

Mr. Chapman said there will be a transition. This Committee can make their

needs known to that person.

Mr. McQuarie said during the learning period the facilities will suffer. In 2012 we requested that the accessibility issues at the Courthouse be addressed. They have not done any of it.

Mr. Chapman said there is a multi million dollar project to bring the Courthouse into compliance. That plan is something that is a response to that request. He will get with Lisa Neie regarding this issue and get some guidance on what DOJ feels would be an acceptable time line for this.

7. OLD BUSINESS

A. MCD SUBCOMMITTEE REPORTS

Plan Review

Chair Bleck said there are plans for the southside bus stop to be done this summer. There are no connected sidewalks there.

Mr. McQuarie said no there are not. How will we get there.

Mr. Chapman said this item was discussed at the Plan Review meeting. The information is in the packet. The lack of sidewalks is noted.

Chair Bleck said what bothered her was that there were plans for 2 rows of buses to be able to pull up and one would be on the street side.

Mr. McQuarie said we wanted to know the specific plan regarding that.

Chair Bleck said everyone for both buses would be pushed into one crosswalk. There is only one crosswalk between the 2 rows of buses.

Mr. McQuarie said he had questioned this design previously. He is trying to get the yellow markings where there are platforms present so that they can be seen clearly as a step. The plans are incomplete.

Mr. Chapman said there will be a second set of plan for review.

Mr. McQuarie said he just found out this week that the Sheridan Bus Stop project has been put on hold. They are putting it back through Historic Design for review. He feels we need to say that the disabled community needs to have access and not have to be subject to color coordination. The markings need to be contrasting colors. That is

the ADA rule.

Transit

Chair Bleck reported that the Transit Advisory Committee did not meet last month so she does not have a report.

B. HOMELESS ISSUE INFORMATION AND DISCUSSION

Chair Bleck said at a prior meeting we passed out a chart with the idea that we would identify who provides what services. Mr. Hughes from the Homeless Coalition will be here to address us at our May meeting. Hopefully we could help find groups to address the number of people who need different things and maybe we could help with getting the services to them through volunteers or community groups.

Mr. Wirtz said he knows several people with sensitivity issues who are going to be homeless in the next couple of weeks.

Chair Bleck said if you have any ideas please bring them forward.

C. MCD RESOLUTION UPDATE

Mr. Chapman reported that he submitted the Resolution to Councilors Ives and Villarreal. Councilor Villarreal contacted him and wanted to speak with him about the IPM issue and she wanted no more than 25% of the Board membership to live outside the City. He will be meeting with her on these issues soon.

D. INTEGRATED PEST MANAGEMENT INFORMATION /DISCUSSION LETTER

Mr. Wirtz reported that on April 6th, David Bacon hosted him, Dr. McCampbell and another speaker for an hour long radio program where they talked about IPM and the City Ordinance. It was a very good discussion. They talked about pesticides and herbicides and the effect they have on soil. He spoke to the listeners about the Council meeting coming up on the 12th and asked them to attend and voice their opinion at the meeting. He did have an opportunity to speak about IPM at the Council meeting. He gave a copy of the petition done previously to each of the Councilors and the Mayor. He asked them to read the comments and hopefully follow the recommendations.

Mr. Wirtz wrote a letter for Chair Bleck's signature and Committee's approval. He distributed the letter which is incorporated herewith into these minutes as Exhibit "1".

Mr. Chapman commented that the letter is very well written.

Mr. Wirtz said the idea is to have each member of this Committee sign off on this letter to show support and to establish quarterly meetings with Mr. Lucero. The Sustainable Santa Fe Committee is in support of our efforts. As a result of the radio program we did there were an additional 150 individuals who wanted to sign our petition.

Mr. McQuarie said he concurs with the letter overall and would make one suggestion. On the first paragraph, the last sentence, we need to state that toxic chemicals are in violation of the Ordinance.

Mr. Wirtz said one of the Parks people tried to get the previous IPM Coordinator to take the word toxic out of the Ordinance and he refused.

Mr. McQuarie said he knew the previous coordinator very well. He fought hard to keep the word toxic included.

Mr. Wirtz said several years ago when the City was looking for their first IPM Coordinator he was asked to serve as a member of the public to be on the selection committee to fill that position. We picked Fabian Chavez. For the selection of Mr. Lucero there were no members of the public on the selection committee. He suggested that he change the letter per Mr. McQuarie's comments and at the next meeting ask the Committee to approve the letter and sign it. Thank you for your comments.

E. HR 4419 UPDATE

Chair Bleck said since Ms. Pieters is not here we will postpone this item.

F. SECOND STREET/CERRILLOS ROAD BUS STOP ISSUE DISCUSSION

Chair Bleck said at the last meeting we decided to do a letter regarding this project. She brought a draft letter for the Committee to consider. The Transit Advisory Board has also signed on to this letter. The draft letter was distributed and is incorporated herewith into these minutes as Exhibit "2".

Mr. Wirtz commented that this letter is very strong in a good way.

Mr. McQuarie said the only thing he would add is that we expect a written response.

Chair Bleck said she will add that we want a written response to the Committee and appropriate City Staff to the letter.

Mr. Chapman suggested she add a deadline for the response.

Chair Bleck said she will add a 30 day time period to respond. She will send an updated draft of the letter to Mr. Chapman for him to distribute to the Committee members for review at the May meeting.

Mr. Wirtz will also send an updated version of his letter to Mr. Chapman for distribution.

8. ITEMS FROM MEMBERS AND STAFF

Mr. McQuarie thanked Chair Bleck for her work on taxis. As of 2 weeks ago the City of Santa Fe does not have taxi cabs. Capital City Cab has closed down.

Mr. Chapman said he received a call from a disabled person who lives in Las Companas. She was wondering what transportation was available to her in her area. He is checking with the County for that information.

Chair Bleck said the County has some kind of transportation as does the NCRTD.

Mr. McQuarie said the Federal Authority requires that wherever there is a private bus a paratransit bus must be provided.

Chair Bleck said they do have vans.

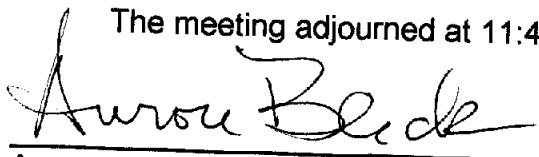
Mr. McQuarie said it is a regulation that any public transportation must be ADA compliant.


Mr. Chapman will get with the NCRTD as well.

9. NEXT MEETING MAY 18, 2017

10. ADJOURN

The meeting adjourned at 11:40 am.


Aurore Bleck, Chair


Elizabeth Martin, Stenographer

Mayor's Committee on Disability

Santa Fe, New Mexico

April 19, 2017

Ms. Monica Vargas
NMDOT Office of Equal Opportunity Programs
ADA Coordinator
P.O. Box 1149
Santa Fe, New Mexico 87504

Dear Ms. Vargas:

Despite many requests, the New Mexico Department of Transportation has repeatedly failed to accommodate persons who use mobility aids including wheelchairs and scooters at the bus stop in front of the Indian Hospital at the intersection of Cerillos Road and Second Street [Santa Fe County SP-5-16(385) CN M500887]. In addition to being out of compliance with the ADA, the lack of adequate accommodation causes violations of Titles 1, 2, and 6 because of the proximity of a medical facility and a school and because it discriminates against persons who are low-income or from a minority population.

This lack of response from the NMDOT has gone on for more than a decade even though the intersection was the site of a fatality involving a woman with disabilities. City officials and city residents have tried to work with the NMDOT, only to receive empty promises.

The Mayor's Committee on Disability expects the NMDOT to remedy this grievous failure to provide reasonable accommodation by August 31, 2018. It would be preferable to provide the remedy by October 31, 2017, particularly since there are at least partial construction plans for this project and a July 2017 start date was promised just last year. Please provide a schedule of action steps to the Committee and to appropriate city officials.

The Mayor's Committee on Disability intends to follow the progress of this project closely. The Transit Advisory Board is also monitoring this matter and will

EXHIBIT 

continue to do so. Our committee and many community members consider this breach of responsibility on the part of the NMDOT to be unconscionable and inexplicable. If the needs of persons using mobility aids at the bus stop in front of the Indian Hospital are not met, members of the Mayor's Committee on Disability along with community members intend to mount protests, seek publicity that shames the NMDOT and the Governor, and create other opportunities to call attention to this long-term violation of the ADA and Titles 1, 2, and 6.

Sincerely,

Aurore Bleck
Chair, Mayor's Committee on Disability

cc: Mayor Javier Gonzales
Councilor Joseph Maestas
Colin Messer, Transit Advisory Board
Name(s), Indian Hospital
Name(s), Governor's Commission on Disability
Don Martinez, FHWA Administration

Enclosures:

- March 10, 2008 memo from D. McQuarie to Santa Fe Governing Body
- March 22, 2010 letter from D. McQuarie to J. Ortiz
- March 29, 2010 memo from J. Ortiz to M. Gabaldon
- March 3, 2011 letter from J. Bulthuis to D. McQuarie
- September 23, [2011] letter from D. McQuarie to P. Gallegos
- June 16, 2014 letter from M. Vargas to D. McQuarie
- April 27-28, 2016 email chain with J. Maestas, I. Pino, and B. Snyder
- May 31, 2016 response by S. Lopez to D. McQuarie
- March 1-2, 2017 email chain with A. Bleck, J. Maestas, and J. Romero

MAYOR'S COMMITTEE ON DISABILITY

Mayor Javier Gonzales

April 20, 2017

Santa Fe, New Mexico

The Mayor's Committee on Disability is quite concerned about the recent violations to the Integrated Pest Management Policy (IPM) that has been in effect since its approval in 2001. There has been monthly spraying for spiders at the city golf course, monthly spraying at the Genoveva Chavez Center, and at the Salvador Perez pool. These pesticide applications are in direct violation of the IPM policy. We insist that the City's Park and Recreation staff follow that Policy.

Section 10-7.3 of the IPM Policy states: the city in carrying out its operations shall assume pesticides are potentially hazardous to human and environmental health. The city shall give preference to preventing pest problems through non-pesticide means and using reasonably available non-pesticide alternatives before considering the use of pesticides on and in city property.

At the City Council meeting on Wednesday, April 12, 2017, several members from the Santa Fe Coalition for Alternatives to Pesticides (SFCAP) spoke about the lack of transparency between the Parks and Recreation Department and the public regarding pesticide use. The public feels that there is a lack of communications and that concerns about pesticide use are being ignored. At that meeting a petition with over 1450 signatures from the public was presented to you and each councilor. The petition states that: we, the undersigned, add our voice to the list of citizens who are concerned about the health and safety of Santa Fe and who urge the City to continue to abide by the spirit and letter of the Integrated Pest Management (IPM) Ordinance. We hope you and the councilors read and consider those comments during future decisions regarding the use of pesticides.

The Mayor's Committee on Disability requests that the IPM coordinator set up quarterly meetings with members of the Santa Fe Coalition for Alternatives to Pesticides. It would be a step in the right direction to insure that the public is being heard and the IPM Policy is followed as it was intended. You can contact either Dr. Ann McCampbell (466-3622), or Mike Wirtz (983-9208) co-chairs of SFCAP to set up those quarterly meetings.

Sincerely,

Aurore Bleck

Chair, Mayor's Committee on Disability

EXHIBIT 2

EXHIBIT