



Agenda

DATE 7/11/12 TIME 11:40
PREPARED BY Joe Lujan
APPROVED BY [Signature]

MAYOR'S COMMITTEE ON DISABILITY
THURSDAY, JULY 19, 2012
10:00 A.M.
GENOVEVA CHAVEZ COMMUNITY CENTER
3221 RODEO RD.
CLASSROOM I

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF THE AGENDA
4. APPROVAL OF MINUTES: JUNE 21, 2012
5. PUBLIC COMMENTS (15 MIN. TOTAL)
6. OLD BUSINESS
 - a) MCD SUB-COMMITTEE REPORTS
7. NEW BUSINESS
 - a) SANTA FE RIDE RESERVATION/SUBSCRIPTION PROPOSED POLICY CHANGES – JON BULTHUIS
 - b) BUILDING PERMIT, DEVELOPMENT and CERTIFICATE of OCCUPANCY PROCESS FOR ADA COMPLIANCE – LAND USE STAFF
8. ITEMS FROM MEMBERS AND STAFF (3 MINUTES)
9. ADJOURN

NEXT MEETING SEPTEMBER 20, 2012

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 Ronda Villa, Chair at 570-9084 and/or Joe Lujan, ADA Coordinator/Liaison, at 955-4021 if you are unable to attend.

**SUMMARY INDEX
CITY OF SANTA FE
MAYOR'S COMMITTEE ON DISABILITY**

JULY 19, 2012

ITEM	ACTION TAKEN	PAGE(S)
CALL TO ORDER		
ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	1
APPROVAL OF MINUTES June 21, 2012	Approved	1-2
PUBLIC COMMENTS	Discussed	2
OLD BUSINESS		
a) MCD Sub-Committee Reports	Discussed	2
NEW BUSINESS		
a) Santa Fe Ride Reservation/Subscription Proposed Policy Changes –	Jon Bulthuis	2-4
b) Building Permit, Development & Certificate of Occupancy Process for ADA Compliance	Land Use Staff	4-7
ITEMS FROM MEMBERS AND STAFF	Discussed	7
ADJOURNMENT & Next Meeting	Adjourned 11:51 a.m. September 20, 2012	8

MINUTES OF THE
MAYOR'S COMMITTEE ON DISABILITY
SANTA FE, NEW MEXICO

July 19, 2012

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

Roll call indicated a quorum as follows:

Members Present:

Ronda Villa, Chair
Marcia Bowman, Vice Chair
Dee Martinez
Buddy Hayes
Dave McQuarie
Mary McGinnis

Members Excused:

Nancy Pieters
Margaret Kuhlen

Staff Present:

Joe Lujan, ADA Coordinator
Jon Bulthuis, Transit Director
Dr. Melville Morgan, Finance Director
John Garcia, Land Use Department
Lawrence Catanach, Land Use Department

Members Absent:

Others Present:

Hope Reed, Citizen Advocate
Amanda Castro, student of physical therapy
Charmaine Clair, Stenographer

APPROVAL OF AGENDA:

The Agenda was accepted unanimously as published.

APPROVAL OF MINUTES: June 21, 2012

Page 2, paragraph 2: Deann should be Leann.

Page 3, paragraph six, the sentence "Mr. Catanach said his group is maintenance and deals with what is in place and not the need for, or lack of ADA" was changed for clarification to: "Mr. Catanach said... "the need for, or lack of, ADA compliance."

Page 9, 7th paragraph: "Chair Villa said the MCD is not enforcement..." for clarification was changed to: "the MCD is not responsible for enforcement..."

Page 10, 4th paragraph: "Chair Villa reminded the Committee they are an *advisory* group and they don't have money" was requested to read: "Chair Villa reminded the Committee they are an *advisory* group; and they don't have money..."

Mr. McQuarie moved to approve the Minutes of June 21, 2012 as amended. Ms. Hayes seconded the motion and the motion passed by unanimous voice vote.

Ms. Bowman introduced Ms. Amanda Castro; a physical therapy student from the University of New England.

PUBLIC COMMENTS

There were none.

OLD BUSINESS

- Media- Marcia Bowman

Ms. Bowman said she and Ms. Reed met with Ann McCampbell who would "like a stack of MSDS sheets" from the City. Ms. Bowman said she hasn't followed up with that yet.

Ms. Bowman said she is working on a Healthier Hospitals Initiative at the hospital because hospitals are a toxic environment and she has had some problems.

- Plan Review -Dave McQuarie

Mr. McQuarie said the last two pages are the inspection report. He hasn't heard anything from the review on Siler Road. He said he did receive a letter (an e-mail) on the Camino Alire/Hickox report and the traffic engineer said that "MCD's wishes would not be honored."

Mr. McQuarie asked that the e-mail from the traffic engineer (Exhibit 1) and a copy of Mr. Lujan's letter (Exhibit 2) July 9, 2012 be a part of the record. Mr. McQuarie said the City was notified of issues at the Rail Yard and hasn't taken care of the problems.

Mr. McQuarie said a review of parks was done that he would talk about at the next meeting.

- Transportation Report- Ms. McGinnis

Ms. McGinnis said everyone was sent an e-mail about the scheduled Public Comment events. She is interested in where the session on Tuesday would be; as a Santa Fe Ride user she hasn't received a postcard about the meeting and wondered if other riders know.

NEW BUSINESS

- Santa Fe Ride Reservation/Subscription Proposed Policy Changes – Jon Bulthuis

Mr. Bulthuis said he came because Ms. McGinnis's suggested he discuss the proposed changes to policy and the Santa Fe Ride program and outreach. A packet was passed around with the details.

Mr. Bulthuis addressed Ms. McGinnis's question about the "listening sessions." The first card in the packet was a handout Santa Fe riders would receive from drivers that explains how riders could let Santa Fe Ride know their opinions on the proposed policy changes.

Mr. Bulthuis said the second page has a press release that was in the morning newspaper and on the City website front page and included the policies. Two public meetings advertised as "listening sessions" were scheduled and the first is July 24 at the Main Library Community Room. The second meeting is at the Southside Library the following day. People could also send comments through letters, e-mail or Constituent Services or call and the call would be recorded.

Mr. Bulthuis said that more people were calling for trips than the City could deliver. The federal regulations state that 50% of the Department's capacity could be booked for recurring trips and the other trips have to be non subscription. He said to meet the federal requirements and continue to offer good service, the Transit Department would 1) limit calls of automatic booking to ensure the Department could meet the request and 2) those with subscription trips would be looked at more closely to ensure trips are actually used.

He said those two components of the policy change include a penalty. Suspension would happen only if a person missed 50% or more of their subscription trips and people with three strikes would have their ride privileges suspended for seven days. The change also includes an incentive program for people who use the trips they book.

Mr. Bulthuis said the change is the first attempt Santa Fe Ride has made to manage the system. He expects some to find the program punitive but the end result would be service capacity would be freed for those who use it.

Chair Villa asked if a person put on a two week waiver in terms of subscription service, could still call during that time on an ad hoc basis.

Mr. Bulthuis wasn't sure of the intent of the Advisory Committee. He was sure the intent wasn't to harm people and thought people would be allowed to call. He said trips could be canceled but notice was needed so staff could be sent out for other purposes.

Ms. Reed asked if someone who canceled had a time limit; like 10 minutes ahead, etc.

Mr. Bulthuis said to be effective the notice has to be almost a day in advance; a couple of hours would be better than nothing.

Mr. McQuarie noted that the handbook required "a *minimum* of two hours" of notice to cancel. He said he understood that only affects subscription reservations.

Mr. McQuarie said regarding the drivers notifying riders about the postcard; he rode a couple of times and neither driver knew anything about the sessions. He said the postcard should been mailed before now since the meeting is Tuesday because a person that receives the postcard today or tomorrow wouldn't be able to make a reservation.

Mr. Bulthuis said drivers were directed to distribute the cards and share the information on every trip and he has the same concern and was assured by the City mailroom the mailing was in process.

Chair Villa said Mr. McQuarie alluded to another issue; TAB riders are the most likely people to attend the meeting. She asked if extra service would be available for people who receive last-minute notice.

Mr. Bulthuis said meeting times were scheduled outside of peak operating hours to accommodate people. He asked Committee members to call him if someone is denied an opportunity to attend a session.

Ms. McGinnis asked if it could be clarified at the meeting that the best time to cancel is 24 hours in advance but the handbook states two hours.

Chair Villa said she heard it would take seven days for a person to learn their subscription was approved.

Mr. McQuarie said if a person is taken off the list for a subscription, the person has to re-apply to get back on and if no opening, would have to wait until there is one. He said a person might have to wait two or three months because a lot of the times are filled.

Chair Villa about a waiting list because people might have to wait for availability. Mr. Bulthuis thought there would be one because the system is a first-come first-serve.

Chair Villa asked about the ride voucher incentives and the cost for a ride.

Mr. Bulthuis said each trip is two dollars now and a person with a subscription would be eligible for incentives every six months. He said the incentive would cost a little but the payoff is that vouchers are less expensive and more efficient than running a service no one uses.

Ms. McGinnis asked Mr. Bulthuis about the Transit training outline the Committee requested.

Mr. Bulthuis said a trainer was hired through the Community Transportation Association in Washington DC and provided copies of the training. He was to get an extra copy for McGinnis but thought he hadn't received it. He said he would check on that.

Mr. Bulthuis said it would be helpful if the Committee got back to him with their comments.

- Building Permit, Development and Certificate of Occupancy Process for ADA Compliance – Land Use Staff

Mr. Lujan said he invited the Plan Reviewer's, Development and Site Inspector, the Building Official and the Zoning Inspector. He said the Zoning Inspector was unavailable but possibly would come later.

He introduced Lawrence Catanach and John Griego. He said Mr. Catanach reviews building permits for accessibility and Mr. Griego is a Land Use Specialist for the Land Use Department and inspects site improvements with regard to building permits for commercial/residential and development; reviews plans and does ADA compliance for infrastructure.

Mr. Catanach said he is a certified building official and has been the Building Permit Operations Manager and an inspector about 25 years. He said part of the certification is on the ANCY training and ADA plan review.

He explained the permit application process. He said he looks closely at the turns and obstacles and door clearances; parking spaces, elevation etc. on tenant improvements, especially for a change of occupancy. He said Chapter 14 covers the site and includes DOT, ANCY and IBC standards and Mr. Griego is the enforcement officer.

Mr. Catanach said he typically issues a permit with conditions of approval and provides a handout with City signage and the required language and the New Mexico Accessible Parking Checklist from the GCD (Governors Commission on Disability) is used to show striping and "no parking" required in the access isles and ramps. He said many of the architects are now getting the information and use it for details for permits.

Mr. Catanach said businesses are the ones most seen in permit application. The zoning enforcement looks at other issues like items for a business license application and many business applications for home occupations don't need a permit.

Ms. Hayes asked if there is a way to make large businesses with incorrect signs become compliant. She said it is a huge problem because of the way people park.

Mr. Catanach said a ticket couldn't be given unless the business uses a City sign. He wasn't sure there is enforcement other than when application is made for a building permit and he visited the site and could inform a business that the sign was incorrect. He suggested Ms. Hayes could call the Parking Division and said it would help to do another sign exchange.

Ms. Reed explained that Ms. Hayes has a good point but the only thing required for enforcement is for the sign to have a wheelchair; the international symbol of accessibility.

Mr. McQuarie said the sign is *suggested* language. The New Mexico State law states that "vehicles will be towed" but the language was left off because a vehicle has to be there 24 hours before it could be towed.

The Committee discussed the parking signs and enforcement. Ms. Hayes said the police wouldn't come if the blue sign was used.

Ms. Reed suggested Ms. Hayes call her with the name of the business and GCD could send someone to talk with them.

Ms. Reed said De Vargas Mall was doing renovations. She asked if the Mall planned to redo the parking lot.

Mr. Catanach wasn't sure. He said the development plan was being redone and the Mall has been compliant with tenant improvements and is working with his department.

Ms. Martinez asked if the Committee could send a memo to the Santa Fe Police Department about training to make police aware the signs with wheelchairs should be enforced. Ms. Reed replied there are people in

her agency that work on that. Ms. Reed suggested she and Ms. Martinez bring it to the director's (GCD) attention.

Ms. Reed said the permit staff and Mr. Catanach do a nice job and she appreciates working with them. She told about a complaint at La Fonda Hotel of a modification done incorrectly. She said the City enforced the code and made the Hotel correct the modification.

Mr. Griego said he does his best to make sure the site is kept accessible and until 2007 no one realized the City wasn't looking at accessibility. He volunteered to get certified and said the department has made a huge effort to make accessibility part of their plan review and inspections. He said the City has come a long way but still has a ways to go.

Mr. Griego said there are problems with existing buildings with issues like grades, that aren't feasible to make compliant. He gave the accessible parking at Trader Joe's as an example where the flattest grade was used and although not compliant, was an improvement.

Ms. Reed asked about a housing project on Alameda with water that drained into accessible parking spaces. Mr. Griego explained the water drained across the sidewalk and had been directed to a channel behind the parking to avoid the accessible parking.

Chair Villa asked if ownership changed hands, if the new tenant has to bring everything into compliance and if there is a dollar threshold.

Mr. Griego said the accessibility criterion for new tenants is 20% of the valuation of the project. He said the City operates under the International Existing Building Code that states only the portions of the building changed would need to be brought to code. He said on existing and historical buildings a lot of issues have to be worked with to try to make them better but some are technically infeasible.

Mr. Lujan shared an example of the renovation of restrooms at Tomasitas Restaurant. He said the restaurant did an excellent job; however the restaurant doorways didn't meet accessibility requirements because of an existing bearing wall and couldn't be changed without a major renovation.

The Committee discussed examples of problems and solutions with existing buildings and accessibility.

Chair Villa said one reason the inspectors were invited was so the Committee could understand how the process works and when a comment is made about a negative situation could diffuse the anger with an explanation of why that might be.

Mr. McQuarie said the First National Bank redid the sidewalks on the Palace Street side. The agreement with the City and the federal highway in 2004 was that the bank would make the driveway accessible next to the Delgado House. He said that hasn't been done.

The situation with the bank was discussed. Mr. Lujan clarified that the existing driveway between the bank and the Delgado building has a 6% rise that was to be addressed. He wasn't sure that was on the bank property and said he would forward the e-mail he received from the designer to Mr. Griego.

The Committee talked about other projects and accessibility issues in the City.

When asked if the Committee could help with anything, Mr. Griego said Ms. Reed has helped with code questions. Mr. Catanach said he is aware of a situation with food vendors that sell from vehicles and trailers etc. He said that isn't being looked at with regard to accessibility or restrooms etc. and should be. He said that the Committee might want to address that and make recommendations.

Mr. Lujan said the vendors require a business license but would only have to meet the requirement for the serving counter height.

Mr. McQuarie said one vendor on the Plaza should have a site requirement; if a customer is at the window they block the sidewalk completely and someone in a wheelchair couldn't get by.

Mr. Griego said Constituent Services (Therese Peralta and Jennifer Martinez) handle complaints and would contact the appropriate department within the division or the City. He provided the phone number and said a complaint could also be filed on the City website. He said if the Committee would make a monthly list of concerns regarding building permits and include the address, he would try to address the issues.

Mr. Lujan said he failed to mention that Mr. Griego also inspects trip hazards or ADA violations with sidewalks above a quarter of an inch.

Mr. McQuarie said he received a number of complaints about long standing businesses with cluttered doorways, hallways, etc. inside the building where people couldn't get through, especially if in a wheelchair. He asked if it would be helpful for the Committee to ask the Governing Body to tie the renewal of a business license with access.

Mr. Griego thought the fire department would be more concerned and have more teeth to go after the business.

The idea of tying the business license renewal to access was discussed. Mr. Lujan pointed said the solution is as simple as people letting a business know when they can't get through and that eliminates a need for staff to have to inspect for ADA compliance.

Chair Villa said the issue could be discussed at a later time. She thanked Mr. Griego and Mr. Catanach.

ITEMS FROM MEMBERS AND STAFF

Ms. McGinnis said the Grief to Laughter class was being held at New Vistas and is doing fine but there was an attempt to do a Living Well class in Pecos. There was only one participant so it would be discontinued.

Mr. Lujan said Ms. Reed sent him information for the 2013 Southwest Disability Conference in October in Albuquerque and the main focus is ANCY and intensive accessible training over two days. He sent the flyer to all of the department heads for distribution to employees. He plans to attend and could e-mail the Committee the link for the information.

Ms. Martinez said the National ADA Symposium is in San Antonio this year. She would have more information later.

NEXT MEETING: September 20, 2012

Chair Villa reminded the Committee there would be no August meeting unless a real need. She encouraged subcommittees to meet in between.

Ms. McGinnis asked how the Committee could get the word out about MCD. Chair Villa said Mr. Lujan would look at sites and requirements and the Committee could discuss that in September.

Mr. Lujan said he would prefer to have the building official and certificate of occupancy inspectors at the September meeting. He added that Liza Suzanne is fine MCD setting up a table in the lobby (GCC) and the dates need to be determined.

Chair Villa asked if anyone would take the lead to look at materials for the MCD to present. There were no volunteers. She said she would get more information and discuss the item in September.

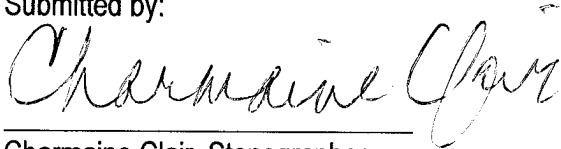
ADJOURNMENT

Having completed the agenda and no further business, the meeting adjourned at 11:51 p.m.

Approved by:

Ronda Villa, Chair

Submitted by:



Charmaine Clair, Stenographer