

ACCESSIBILITY ADVISORY COMMITTEE

Minutes



Date & Time: Thursday, July 28th, 2016 at 3:00 P.M.

Location: Sun Metro Transit Operations Center at 10151 Montana

Agenda Minutes

I. Welcome/Roll Call

Meeting was called to order at 3:03 pm with following members present.
Committee introduced themselves, as well as city employees that were present.

Member	Appointment	Present
Frank Lozano	District 1	Absent
Soledad Basoco	District 2	Absent
Michelle Adjemian	District 3	Present
Lori Vugteveen	District 4	Present
Mar Alice Gary	District 5	Present
Mary Castillo	District 6	Present
Karl Kevin Glancey	District 7	Present
Paul de la Peña	District 8	Present
George Zavala	Mayor	Present
Julio Perez	Secretary	Present

II. Call to the Public – Public Comment

John Ager (constituent) thanked Julio for getting a spot for the proclamation – Accessibility on August 5th over at the lift. Mark Seal mentioned the new crossing signals by the Civic Center and Santa Fe. Round table introduction. Paul De La Peña had a comment about the new grocery store “Food King” on Mesa, they redo their parking, but unfortunately it has no parking for van accessibility.

III. Business Items

Approval of May 26th, 2016 Minutes: Motion to approve minutes made by George Zavala and seconded by Mary Castillo. Motion passed.

IV. Discussion

A. Update on new funding approved for on-demand sidewalk/curb ramp requests:

- Julio Perez mentioned that new improvements are being done throughout the City, resurfacing project, which includes sidewalks and curb ramps. He stated that every street that is being resurfaced will have ADA compliance sidewalks and curb ramps.
- Julio Perez presented to the group the dilemma of having a request to fix a section of a street where at the same time, that same location is already scheduled to be addressed by another project. Under that situation, the citizen's request will be addressed right away under the following conditions:
 - If it poses a safety hazard.
 - If it's a quick and fairly inexpensive request (i.e. adding a curb ramp to a corner).
 - If the other project is scheduled to start the following year or at least 6 months out. If that's the case, we won't wait for the other project and we will address the citizen's request right away.
 - The AAC members and members from the public agreed with this approach.

B. Can the towing of a vehicle be added to the current ADA accessible parking ordinance?

- Mr. Faust commented that unfortunately there is no relief in this situation according to the City code/PD Texas Transportation code. It is the responsibility of the private entity/owner of the parking area. The actions taken by the police are very limited: only when the parked vehicle poses an imminent danger or safety hazard (i.e. the vehicle is parked in front of building that is on fire), if it's abandoned, blocking a fire hydrant, etc. Mr. Foust did mention that a vehicle can get ticketed for parking in a ADA parking space, but not towed.
- Paul De La Peña wanted to know if all States follow this same policy. He would like for Mr. Foust to look at other States to see if it's the same. Mr. Foust to follow up and report next month.
- Mr. Zavala asked about the possibility of allowing a third-party agency like 'Mobility Parking' to use their technology to reduce illegal parking. This technology allows regular citizens (after receiving training) to report violators via their phones – such violation then eventually goes to the City for a ticket to be issued

out to the owner. The Service Provider charges a fee but the City gets more revenue as more citations are issued.

- Julio Perez mentioned that this service provider needs to approach the City with this service offer and most likely end up going the normal procurement process to become a vendor.
- Mr. Foust mentioned that each violation would become a case and there would be a ‘burden of proof ‘ that would have to be met as well as all of the evidentiary steps that would have to be followed. In other words, it’s not a simple process.
- Mr. De la Pena asked for this item to be placed on a future agenda.

C. Recommendation approved to change the bylaws of the AAC to include non-attendance penalties: After 4 absences (excused or unexcused), the appointee shall be removed from the committee. To be reviewed by Legal: AAC Members

- Mr. Foust suggested that if an individual is not attending, to notify the City Council Member regarding the issue and then let them address this directly. Not sure that empowering the AAC to eject committee members is going to be very successful.
- Mr. De La Pena mentioned that whenever we have a volunteer force, this may occur. Whenever we have an issue, we need to notify City Council as recommended. A suggestion was brought up regarding using Skype or teleconference for those individuals that are unable to attend the meetings. Mr. Foust will look into this possibility and this will be added to the agenda for next month’s report.

D. Reviews of current bylaws of AAC:

- Julio Perez reviewed the bylaws of the AAC. Technically speaking, there are no bylaws for this committee. The ordinance itself contains instructions and the purpose of the committee that normally are referred to as ‘bylaws’.
- Three different ordinances: Original ordinance 8961 created the committee.
 - Shall be consisted of 7 members (later amended to 9 – one for each district plus the Mayor’s Office)
 - Other city departments/representatives that can attend for support but they have no voting rights.

- Purpose: To develop short and long-term plans according to which city-owned buildings and facilities may be made more accessible to individuals with disabilities and elderly people, to report such plans to the City Council periodically, and to work actively with the various City departments to eliminate barriers faced by persons with disabilities and the elderly.
- Original appointments initially staggered but after a period of time, every member would be appointed to a two-year term. After expiration of the term, the member is allowed to stay on until another one is appointed.
- The ADA coordinator is to serve as secretary and to keep a record and minutes of the meetings.
- Duties:
 - Act as an advisory board to City Council
 - Undertake such studies as deemed necessary by the Committee or the City Council in an ongoing effort to eliminate barriers
 - Report to City Council the results of such studies, together with recommendations
 - Appoint subcommittees to study barriers faced by individuals with disabilities and the elderly in designated specific areas (i.e. employment, transportation, parking ,etc)
 - Prepare a quarterly report to City Council detailing all activities performed, recommendations, findings, etc.
- The original ordinance was amended by 11469 to include nine members
- Then subsequently amended again by 17082 to specify that only four members are needed for a quorum.
- Mr. Zavala mentioned that to him, the language as to the scope is very vague. It needs to be revisited.
- Julio Perez mentioned that the ordinance allows them to look at anything related to city-owned facilities, buildings, services. So it is restricted in that way; it does not mention the private sector.
- Mr. Zavala believes the scope needs to cover/mention community-based issues.
- Julio Perez mentioned that the good news is that the ordinance is very broad and allows the committee to do a lot – many times bylaws have their own consequences: they restrict. There are pros and cons to bylaws.

- Committee recommended to create a subcommittee to review the need for bylaws but Mr. Foust recommended to place on a separate agenda as this item was not posted for action. Chair De la Pena recommended to place this item on next month's agenda.
- As a final comment, Mr. Zavala asked of Mr. Foust for more consistency as it relates to a City Attorney attendance to our meetings. Mr. Foust understands the need and will convey the message back.

V. Next meeting Location

- August 25th, 2016 – Sun Metro Transit Operations Center at 10151 Montana @ 3:00 p.m.
- Motion to adjourn made by George Zavala, seconded by Kevin Glancey. Motion passed.

VI. Adjournment – 3:56 PM