

ACCESSIBILITY ADVISORY COMMITTEE MINUTES
4th Floor Engineering Conference Room, City Hall
Thursday, August 13, 2009
2:00 P.M.

The City Accessibility Advisory Committee met at the above place and date. The meeting was called to order at 2:10 P.M. The following committee members and staff answered roll call:

Richard Sheldon	Arne Schonberger
Olivia Chavez	Rafael Hernando III
Martin Walton	Mary Castillo
Mark Shoosmith	William Bennett
James W. Peterson	

The following visitors were present:

Eric Zuloaga	Kristin Sizemore
Willie Padilla	

The following members and staff were not present:

Manny Razo	Jim Fraser
Sgt. Jack Mathews	Andrea Espinosa
Sergio Reyes	

AGENDA

- I. WELCOME / ROLL CALL
- II. CALL TO THE PUBLIC – PUBLIC COMMENT
This time is reserved for members of the public who would like to address the City Accessibility Advisory Committee on any items that are not on the City Accessibility Advisory Committee Agenda and that are within the jurisdiction of the City Accessibility Advisory Committee. No action shall be taken.
- III. APPROVAL OF MINUTES of June 23, 2009 and June 25, 2009.
- IV. DISCUSSION AND ACTION
 - A. Discussion and action on an ordinance amending Title 18 (Building and Construction), Chapter 18.08 (Building Code), Section 18.08.170 (Accessibility for people with physical disabilities) of the El Paso City Code.
 - B. Curb Ramp on Request Program
 - C. Subcommittee reports for Goals and Objectives
 - Employment of People with Disabilities
 - Taxi Ordinance
 - Sensitivity Training
 - Transition Plan for the City (proposed 40 foot long bus pads)
 - Barrier Free Construction
 - D. Formal complaints regarding ADA/Accessibility Compliance
 - E. Plan Reviews
 - F. Next Meeting Agenda, Date, and Location (8-27-2009)
- V. ANNOUNCEMENTS
- VI. ADJOURNMENT

Item 1. Welcome/Roll Call

Roll call was taken and a quorum was confirmed.

Item 2. Call to the public - public comment

There was no public comment.

Item 3. Approval of minutes of June 23, 2009 and June 25, 2009
The minutes are not ready. This item will be carried over.

Item 4. Discussion and Action

- A. Discussion and action on an ordinance amending Title 18 (Building and Construction), Chapter 18.08 (Building Code), Section 18.08.170 (Accessibility for people with physical disabilities) of the El Paso City Code.
Comments were made by William Bennett, Arne Schonberger, Eric Zuloaga, Mary Castillo, Rafael Hernando III, Kristen Sizemore, Martin Walton, James W. Peterson, Olivia Chavez, and Richard Sheldon.
A motion was made by Arne Schonberger, seconded by Olivia Chavez, and unanimously approved to leave the recommendation the same as made at the previous meeting (to keep the number of accessible units at five percent (5%) all with roll in showers, and adopt the other proposed changes with local amendments as in the proposed draft.)
AYES: Richard Sheldon, Arne Schonberger, Olivia Chavez, Rafael Hernando III, Martin Walton, and Mary Castillo.
NAYS: None.
ABSTAIN: None.
- B. Curb Ramp on Request Program
Comments were made by William Bennett, Richard Sheldon, and Arne Schonberger.
No action was taken on this item.
- C. Subcommittee reports for Goals and Objectives
Employment of People with Disabilities
Comments were made by Mary Castillo, William Bennett, Rafael Hernando, and James Peterson.
No action was taken on this item.
Taxi Ordinance
Comments were made by William Bennett, James Peterson, and Richard Sheldon.
No action was taken on this item.
Sensitivity Training
Comments were made by William Bennett.
No action was taken on this item.
Transition Plan for the City (proposed 40 foot long bus pads)
Comments were made by William Bennett, James Peterson, Willie Padilla, and Richard Sheldon.
No Action was taken on this item.
Barrier Free Construction
This was already discussed.
- D. Formal complaints regarding ADA/Accessibility Compliance
Comments were made by William Bennett, Arne Schonberger, Olivia Chavez, Rafael Hernando III, Martin Walton, and Mary Castillo.
No action was taken on this item.
- E. Plan Reviews
No discussion on this item.
- F. Next Meeting Agenda, Date, and Location (8-27-2009)
The next meeting will be on August 20, 2009 in City Council Chambers.

Item 5. ANNOUNCEMENTS

Comments were made by William Bennett.

No action was taken on this item.

Item 6. ADJOURNMENT

A motion was made by Richard Sheldon, seconded by Mary Castillo, and unanimously approved to adjourn the meeting at 3:30 p.m.

AYES: Richard Sheldon, Arne Schonberger, Olivia Chavez, Rafael Hernando III, Martin Walton, and Mary Castillo.

NAYS: None.

ABSTAIN: None.

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The Minutes are not ready. This item will be carried over.

Item 4. Discussion and Action

A. Discussion and action on an ordinance amending Title 18 (Building and Construction), Chapter 18.08 (Building Code), Section 18.08.170 (Accessibility for people with physical disabilities) of the El Paso City Code.

The Legislative Review Committee (LRC) will be meeting on August 20, 2009 at 1:30 in Council chambers. The committee has made a recommendation that the number of accessible units not be reduced and all of the other things that were proposed for commercial structures rely on TAS and the Building Code for enforcement. The recommendation has been given to the Building Official to present to the LRC. Development Services has gotten information from Bohannon Development apartments. Bill Stern has inspected all 50 accessible apartments that are owned by Bohannon Development. They were found to be in compliance and all had roll in showers. Only one unit was occupied by an individual with disabilities. 47 of the units occupied by individuals without disabilities and two were vacant. A listing of all the apartments constructed since 1993 was printed out and the total # of units that were to be made accessible was calculated. There have been a number of units that were constructed, but the numbers are not known. Another developer has stated that he is having the same problem. That is finding individuals to rent the accessible units. A lot of the units that were visited had changes made to accommodate the individuals that did not have a disability, so that they do not need to be discounted. The only way that people will lease the units, the unit has to be adapted. Money is being spent to adapt them so that they will rent. Many people constructing houses now are requesting larger showers. Are individuals being searched for to rent the units or are you just waiting for the individuals to come to the apartments. Luis Chew and Kristin Sizemore have not been able to meet, but they are still trying. The only tours that had been done were done by Bill Stern. Phone calls that were made, the person did not know if they had accessible units. They were mostly smaller apartment complexes. The individuals working at the front desk should be trained so that they know that the units are available. One of the things that has been found is that there is an education issue. Someone from Volar is going to be presenting a class to the association. If the units were being rented, then more would be built. The only thing that seemed to be a real problem was the roll in shower. Possibly between advertising and finding ways to adjust the units the problem could be solved. The other units have to be adaptable. All the ground floor units are adaptable. The way the Bohannon apartments are a dishwasher cannot be installed. The accessibility advisory committee does not want to lose the five percent. It is frustrating to build the units and the apartments are not being used. With TAS out of the apartments, dishwashers can be added to all of the units. This just leaves the shower stall. Shower units can be obtained that could be used. The most cost efficient way to construct the shower is to use the ceramic tile. The other problem is that five percent of every unit has to be accessible. Not just the one bedroom units are made accessible. The tub is not easy for all individuals to get in and out of. If people called and found out that there are units available, they will be rented. The advertisement that is done is in the Apartment Guide and the Apartment finder. There is not much of a budget for advertising. Once the accessibility study is done, maybe a list can be created. There are also pages in the Apartment Guide that could possibly have a listing of the apartment complexes that have the accessible units. Kristen Sizemore is going to try to get this done. The international symbol of accessibility does not give enough information. Maybe the apartment association can give out information also. The apartment association is setting up a web site and the information can be put on the web site. The inspections that are being done might flush out which apartments are accessible. There is not a large amount of money in the apartment business. It is difficult to get loans and investors. Need is one small portion of the factor. Getting the information is the key. Bill Stern is going to other apartments besides the Bohannon group. The new apartments on George Dieter do not seem to have enough accessible parking. The spaces should be disbursed throughout the complex. Fair Housing recommends assigning a specific space to the apartment unit for the individual that needs the accessible space. The reason is that anyone with an accessible parking tag or license plate can park in the accessible space. Sometimes it is not possible to put the

accessible space closest to the route. Advertising in the Apartment Guide seems to be the best option. Not every body is a member of the association, so there will be some units that may comply but might not be counted. Without some kind of assistance it is hard to build affordable housing. They is not just the military that is coming in, but also the baby boomers are coming up. A recommendation was made last meeting which has not been changed. The meeting next week will start at 1:30 on the second floor. A meeting will be posted for next Thursday at 1:00 in case there are more than four members there will not be an open meetings request. A motion was made, seconded, and unanimously approved to leave the recommendation as stated at the last meeting.

B. Curb Ramp on Request Program

A list was submitted to the street department and the survey will begin within the next few weeks. The monies, both the stimulus and regular CDBG funding, should be available on September 1, 2009. The stimulus funding is \$276,000 + and the regular is 562,000 +. The list given to the street department had 247 corners. The reason there are a odd number is because some of the corners at an intersection have already been completed under other programs. A notice to proceed will be issued to get the program going. No action was taken on this item.

C. Subcommittee reports for Goals and Objectives

Employment of People with Disabilities

Is there a way to track how many contract applicants there are? It will be checked if the contract employees are being used. A lot of what is being done is regular hires. There are people being sent to apply, but are missing because they are not looking to see if the jobs are available or if they have the qualifications. Volar was talking about some programs that they have for employment. No action was taken on this item.

Taxi Ordinance

Sun City and Lulac is ready to go. Lulac is thinking about contracting with Sun City. There is supposed to be a press release in the near future. The police department will be doing enforcement to ensure that the taxi companies are providing equivalent service. No action was taken on this item.

Sensitivity Training

This is still being worked on. A couple of training packages are being worked on. One is for sensitivity training and the other is for accessibility issues in construction.

Transition Plan for the City (proposed 40 foot long bus pads)

The transition plan has been posted on the City's Website. Comments are being requested from the public. The goal is to present the plan to City Council during October. The proposed 40 foot long bus pads are being installed so that the person getting off at the rear door will not have to go through grass or rocks. The additional cost increases the length of time for bringing the bus stops into compliance by about half a year.

Barrier Free Construction

This item was already discussed

D. Formal complaints regarding ADA/Accessibility Compliance

There was a formal complaint that is being investigated. A formal complaint is any complaint that is in writing. The complaint was about La Victoria on Copia. The dumpsters are in the accessible parking spaces. The law seems only to address a vehicle parking in the accessible space. There are laws that prohibit blocking corner ramps. This is still being investigated. There have been several about corners without curb ramps. If there is a violation of the building codes, the complaint is referred to Building Permits. Another complaint was about Sunland Park Mall and there is not access to the food court because the elevators are in the large department stores and not open the same hours as the food court. Paso Del Norte Civil Rights or Advocacy Inc. could be possible agencies that could enforce the ADA laws in addition to the Department of Justice. What about building signage? If a room is permanently marked, there should be Braille and raised characters. The sign should be located 60 inches to the center of the sign above the

floor and eight inches maximum from the door frame. The shelter valet parking does not have an accessible bus, but they provide transportation to the terminal. They should be providing equivalent service just like the (taxi companies.) There was also a complaint on AD Wrecking and went to check ADA compliance. The auction has to be accessible. They are constructing a new building. Before ADA individuals with wheel chairs would block the doors until they provided access. Sunland Park Mall does not have an accessible route from the right of way to the new theater. Parks are being worked on to provide access. Walkways are being placed around and through. We are ahead of other cities as far as sidewalk placement and replacement. The Street Department is fixing sidewalks at the same time as resurfacing is being done. Code enforcement is informed for other situations and they require the abutting property owner to repair the sidewalk. There is a sidewalk gap program that is installing missing sidewalks. The survey of our streets and sidewalks was completed last November. Building Permits is also requiring repairs to be made when the buildings are remodeled. Temporary walkways could be installed so that passage could be made. The ADA does not require sidewalks, but if you have a sidewalk it must meet the standards of two percent (2%) maximum cross slope, and 8.3 % running slope unless in the right of way where it can exceed the percentage slope..

E. Plan Reviews
Not discussed.

F. Next Meeting Agenda, Date, and Location (8-27-2009)
The next meeting will be on the 20th at 1:00 in City Council Chambers.

Item 5. ANNOUNCEMENTS

The City is still on a four day work week. It will end after Labor Day.

Item 6. ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 3:30 p.m.