

# GREATER ALBUQUERQUE RECREATIONAL TRAILS COMMITTEE MINUTES



July 19, 2016  
3:30 pm

City Hall, 7<sup>th</sup> Floor Conference Room, Room 7096



**Members Present:** Valerie Cole, Tyler Ashton, Warren Wild

**Members Absent:** Kathleen Rhoad (excused), Ian Maddieson (excused)

**Advisory Members Present:** None

**Staff Members Present:** Jason Coffey-PRD, Carrie Barkhurst-Planning

**Staff Members Absent:** None

**Visitors Present:** John Barncastle, Jackie Bouker, Mary Whigham, Tom Whigham

## **Call to Order and Introductions**

Meeting called to order at 3:40 p.m. Quorum is present.

## **Approval of July 19, 2016 Agenda**

The Channel Road presentation has been postponed to the August meeting. Staff reports that there is a room change for the August meeting to Room 303 on the 3<sup>rd</sup> floor of City Hall. Val Cole moved approval of the agenda as amended, second Warren Wild. Motion approved with a voice vote.

## **Approval of June 21, 2016 Minutes**

Val Cole moved approval of the minutes as amended, second Warren Wild. Motion approved with a voice vote.

## **General Announcements:**

Bosque Extended Path Phase 3 Public Meeting, July 26, 2016 at 6pm at the Los Duranes Community Center.

Val Cole points out that the date for the public meeting is not correct. Staff was requested to add this date to the agenda but was never updated regarding a change of date. There are questions regarding the content of the public meeting and alignment of the extended path. Staff does not know the answers to the questions and there is a general discussion about where the extended path will start and end.

The corrected date for the meeting is below.

## **The public meeting on Bosque Phase III: Multi-Use Accessible Path Extension is now 6 - 7:30 p.m. Aug. 11 at the Los Duranes Community Center.**

### **Discussion, Action Items, and On-Going Business:**

Channel Rd. Presentation delayed until August 16 meeting.

#### May 17, 2016 minutes review

Staff reports on the request from Terri O'Hare to have May 17, 2016 minutes reviewed because of objections to how the minutes summarized her comments during the public comment portion of the meeting. Staff requests direction from the committee due to the fact that the minutes were approved at the June 21, 2016 meeting so changes to minutes must come from the committee. The comments provided by Ms. O'Hare are reviewed and staff lays out several scenarios for how to proceed with changing the minutes. These include, going back and transcribing the entire meeting, which staff would prefer not to do, transcribe just Ms. O'Hare's public comments or include the comments as an attachment to the May minutes. Staff describes the current status of the ADA transition plan and that the City of Albuquerque needs to have a transition plan not just the Parks and Recreation Department. The USDOT mandated that all public sector entities have transition plans to be eligible for receive federal funding. The Department of Municipal Development is working with consultants who will create a transition plan for the city and the work that has been completed by Parks will be included in the transition plan. Ms. O'Hare's comments refer to 2013 minutes in which a ratio for accessible trail facilities is discussed, but Parks cannot commit to a ratio because the city's transition plan will address what actions Parks will take. There is a general conversation regarding the ADA audits and the transition plan. There is a suggestion to include the email from Terri O'Hare in the with the July minutes to reflect that the conversation took place. The direction from the committee is to attach the comments to the July minutes. Warren Wild motioned to attach Terri O'Hare's comments to the July 19, 2016 meeting minutes, second by Tyler. Motion passes with a voice vote. \*Please see the comments on page 4 of these minutes.

#### Committee Member Recruitment

Staff has no new information but the Whigham's are here again, and Mr. Cossey emailed to indicate that he was pursuing appointment. There is a discussion about which members are eligible for reappointment.

### **Staff Reports and Project Updates:**

#### Jason Coffey, Parks and Recreation Department

No Change-The Bridge and Trail Evaluation Study has begun and the consultant, AECOM, is working on the bridge portion of the project first. Parks asked them to review the Bear Canyon Bridge over I-25 first due to the continued issues we are having with the surfacing of the bridge. The report was received and provided to Keith Reed, Deputy Director of Parks and Recreation who is coordinating the effort to address the bridge's surface. We have begun working on the GIS database to be used for the trail asset management inventory. City staff is working with the consultant to ensure the new data is compatible with current City practices. I know have bi-monthly

meetings with the consultant to review work products and to aid coordination of efforts between parties.

The Alameda Drain and Trail Mater Plan final draft is complete and I received hard copies. I have cd's with the pdf version for each of the committee members.

No Change-Black Arroyo Trail from Hunter's Run Park to near Ellison is a slope stabilization and trail resurfacing project. This is part of our effort to try some different techniques for slope stabilization. The slope project is just a low retaining wall, not a new technique, but the material was donated by the manufacturer so we are testing the donation process and material to see if it is worthwhile to pursue on future projects. The trail will be a crack filling and then seal coat overlay to see how the treatment works. If it is successful, we may begin to use this technique for crack filling then seal coat more often to improve trail surfaces. This has required an Encroachment License from AMAFCA and the City's Real Property Division has the agreement now for review. The project cannot go to construction until the license is finalized.

The third phase of the bollard project is complete. Parks and Recreation now has 15 new retractable bollards stored with Park Management for use as needed. I anticipate this was the final large scale phase of the bollard replacement project.

No Change-I received the updated contract from NMDOT for the rail crossing upgrade on the North Diversion Channel Trail just south of El Pueblo. Legal has reviewed the contract and I am working on getting it all set up for signature routing. The contract has to go through NMDOT's approval process too so it could be a couple months before we get moving on building the new crossing. The contract is now with the Real Property Division for review.

Singer Bridge widening and trail notch project has begun. July 18, 2016 a trail closure will take place. The latest information I have is the detour will use a lane on Chappell Rd, accessed just north of I-25 where the trail crosses the NDC to the east, and bring users to the San Juan Chama Crossing just north of Singer. The final detour map is available from DMD we will put information on our website.

I-40 West Trail Extension funding agreement is still being executed. I spoke with Jerry Lovato of AMAFCA and Parks has agreed to put in \$300k toward the trail construction. The project has not gone to bid yet and more work needs to happen with the agreements because we will need to amend the agreement that was just signed by DMD, DMD has money in for some of the drainage costs, and they moved forward without having the trail money in the agreement. Not quite sure how we got crossed up on this one because the project and the informal agreements about who would pay for what took place before I was on board. But I have told AMAFCA Parks has the money and wants to participate.

Paseo de la Mesa is complete. The cracks were filled and the trail seal coated and restriped. The trail reopened July 1, 2016.

Crack repairs are taking place this week (7/11-7/15) and next week (7/18-7/22) starting with Boca Negra Trail near Mariposa Basin Park, then Embudo Trail and Bear Canyon Trail. The Parks Management trail crew is doing the work. The recent purchase of a one ton asphalt recycler trailer has increased Parks' ability to patch cracks effectively. Currently millings and UPM mix are being used as materials. We need to see how the process holds up during the winter freeze thaw cycle, but are optimistic this new method will help us maintain the trail surfaces in better condition.

Carrie Barkhurst, Planning Department.

The progress of the ABC to Z project is explained, the Comprehensive Plan has been submitted to Environmental Planning Commission. For the ABC to Z project there is a July 28, 2016 study session meeting for the EPC at Plaza del Sol. There will not be public comments taken on July 28, 2016 but the public can attend. After that on 8/4/16 from 1pm to 8pm will be a full meeting of EPC, there will be two presentations during that time period, one earlier and one around 6pm. This meeting will take place at City Hall in Council Chambers. There are two chapters specifically that GARTC may be interested in and they are Parks and Opens Space chapter and the trails are in the

Transportation chapter. There is an opportunity for GARTC to submit a letter with comments on the comp plan update and the comments should but submitted by August 2, 2016, but GARTC could have some extra time and if comments are submitted they would be included when the Comp Plan goes to City Council. The Integrated Development Ordinance is the second piece of the project and it is the update to the zoning code. The structure of the IDO is described. Including the sub-division ordinance, we broke it up in three parts the uses and the zones, and then the development standards and those two parts are online. The third part will be the process for how the zoning is administered and that will be coming out in the end of July. There is a question about whether this zoning update only applies to the City of Albuquerque, and the answer is yes. Ms. Barkhurst explains that the Bikeways and Trails Facilities Plan standards will be included in the IDO. There is a question about conflicts between HOA covenants and the zoning, and covenants can be more restrictive then the zoning but are not enforced by the city. The HOA is responsible for enforcing covenants. The new zoning will closely match the existing zones, so if you are in a residential zone you will still be in a residential zone. But, some of the design standards will be changing. In the commercial zones there will be more mixed use to modernize our zoning.

**Public Comment:**

John Barncastle- The bollard at north diversion channel at Indian School has been replaced and the homeless encampments have been absent in the last few weeks. The effort to have the encampments removed has been paying off but it takes an ongoing effort and collaboration with Coast, APD and AMAFCA to remove and keep the encampments from returning. There is an issue with construction traffic control for bicycles and pedestrians and it takes continuing education of the contractors and the city to improve traffic control.

**Adjourn:** Meeting is adjourned at 4:57pm.

**The foregoing GARTC minutes from the July 19, 2016 GARTC meeting have been approved as written or with noted comments on August 16, 2016.**

**Chairperson – Ian Maddieson**

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**Date**

**Prepared by: Jason Coffey**

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**Date**

\*Continuation of the agenda item, May 17, 2016 minutes review

Attached comments on the May 17, 2016 GARTC meeting minutes from Terri O’Hare. These comments were received on 6/24/16 via email.

Hello all,

I have reviewed what Jason Coffey, Trails Planner sent me in terms of GARTC May meeting Minutes and they are incorrect in several areas. Starting with what I said, and how it was responded to, (which I know as I

was there), some sections have been pasted below and need to be reviewed. It is distressing to find so much inaccuracy and entire discussions left out of the Minutes. I am not writing this email to make Mr. Coffey look bad, I am writing to let staff and others know that more happened at this meeting than was recorded and the accuracy of what was written is lacking. I've attached back up for all of this.

As written by Jason:

Terri O'Hare: Ms. O'Hare thanks Mr. McGovern, and states that it is nice to know cities are using your company for these audits because you tell it like it is. You were here in 2013 and at that time said you advise your clients that a third of all facilities should be accessible. Response from Mr. McGovern: perhaps I should have said a little more at that time because the Access Board does not provide a ratio and instead relies on cities and counties to do the heavy lifting to determine which facilities can meet the criteria, but does not give a ratio. Ms. O'Hare inquiries about the ADA audits and the status of the transition plan? Staff replies that do to staffing turnover the audits have not been completed and the transition plan cannot happen until the audits are completed. Ms. O'Hare shares her disappointment that the ADA audits and transition plan is not yet complete.

As it happened:

Terri O'Hare passed out a stapled sheet to all in the room, a copy of the GARTC September 2013 Minutes. On the second page, highlighted in yellow was a statement from Mr. McGovern that says:

John McGovern discussed that a good practice would be that one of every three of all of the shared-use paths or multi-use trails in Albuquerque should be accessible . Parks and Recreation hired RAC to train Parks and Recreation staff to begin the auditing process for the department's facilities. Over the next year, the department will audit all the facilities and decide on what 1/3 of the trails should become ADA accessible .

Terri O'Hare (me) asked John McGovern how he tracks what clients do in terms of following his audits? Does he use the city's Transition Plan? He replied, 'you have to have a Transition Plan ...' and then went into an explanation of how the cities should track progress, and can check in with him, etc. Terri, (me) then turned to Christina Sandoval and asked: "Where is the P&R Transition Plan?" Christina stated the P&R dept does not have one. I turned back to John McGovern and asked, "Is this allowed?" He indicated this was not good/said in perhaps different terms with same emphasis, is not how ADA is supposed to be handled. Christina attempted to talk on about the audits taking long, etc, etc. I told her it was my time for my public comments and to allow me to speak. I wanted to make sure everyone in the room understood the consultant who seems to be a fair man, and a well trained professional, just said the city's P&R dept was basically out of ADA compliance with no Transition Plan.

Additionally, Mr McGovern's firm was hired in 2013 to do many, many ABQ park ADA audits. I received them through a request for Public Records. It is unclear how many audits the city's P&R dept has done since 2013, but it is not near the amount this consultant was able to do. Interestingly, one audit Mr. McGovern's team did was Balloon Fiesta Park, approximately 2 years ago. It has close to 100 ADA violations in the 16 page report. (Attached) But we have no way to track if anything has been done, due to no Transition Plan from the city's P&R dept.

And no, a city does not wait for audits to be completed to draft a Transition Plan, per Jason's minutes.

The Parks ADA access audits are incomplete, there is no Transition Plan and we are in no way close to having 1/3rd of all trails in the city meet ADA compliance, especially ones in open space and natural settings.

Then, Jason goes on to write this about John Thomas' comments:

...Mr. McGovern talks about the jurisdictions that are making progress and avoiding legal action are the ones that embrace access rather than resist it, and that *trails will likely end up as part of the PROWAG and be in the realm of state Departments of Transportation.*

Mr McGovern's presentation included details that trails/paths are currently being reviewed and decided upon by the Access Board in DC and will be opened for comment and review before being added to the Federal Register. They (trails/shared-use paths) have been held up by 'nonprofits', as Mr. McGovern said. When asked who the 'nonprofits' are, (by myself) he said 'you can probably guess, conservation organizations.' He indicated yes when asked if the Sierra Club was one. But Mr. McGovern made it very clear he felt that by 2017-18 the trails/paths ADA standards would be approved and be a part of the current ADA Recreational regs.

The ADA guidelines for trails and paths will not be in the 'realm of State Depts of Transportation', (per Jason) they will remain in the DOJ ADA Access Board's Standards and Guidelines.

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Jason, I would appreciate it if you would revise these meeting Minutes to reflect the above corrections. If posted 'as is', the Minutes will misinform readers wanting accurate info on GARTC meetings. I appreciate your time and assistance in this, I know you are a busy guy.

Thank you,

Terri O'Hare