

**CITY OF ALBUQUERQUE
MEETING MINUTES
AMERICANS WITH DISABILITIES ACT ADVISORY COUNCIL**

Date: Tuesday, December 4, 2018
Time: 5:30 p.m.
Location: City Council Government Center, Room 9081

Board Members Present:

Terri O'Hare, Chair
Sacheen Smith
Daniel Strones
Lisa McNiven
Karen Cushnyr
Matthew Loehman

City Staff Present:

Patricia Padrino, Assistant City Attorney
Danyel Mayer, Paralegal
Diane Dolan, Council Policy Analyst
Isaac Benton, City Councilor

Members of the Public:

Michael Lawler
Veronica Becerra
Amy Brown
Brad Cushnyr

ITEM 1: CALL TO ORDER:

The meeting was called to order by Chair O'Hare at approximately 5:35 p.m. with all six members participating.

ITEM 2: APPROVAL OF AGENDA

A motion was made by Member Strones to approve the agenda as revised. The motion was seconded. The motion was carried by the following vote:

For: 6 – O'Hare, Smith, Strones, McNiven, Cushnyr, Loehman

ITEM 3: APPROVAL OF MINUTES FROM NOVEMBER 2018

A motion was made by Member Cushnyr to approve the minutes from the November 6, 2018 meeting. The motion was seconded by Member McNiven. The motion was carried by the following vote:

For: 6 – O'Hare, Smith, Strones, McNiven, Cushnyr, Loehman

ITEM 4: INTRODUCTIONS

Chair O'Hare asked that everyone in attendance take a moment to introduce themselves.

ITEM 5: PUBLIC COMMENT

Public comment was received from Michael Lawler. Mr. Lawler explained that he has a friend who works as a nurse and is blind in one eye. The friend has been threatened with termination by her employer because she has issues driving when it is dark outside and this has interfered with her work. His friend's condition is temporary until she has eye surgery to correct the problem. What recourse would she have in regards to her employer threatening to terminate her? Member McNiven recommends the friend contact the EEOC, and if she has a case they will take it on and work with her. Member Smith recommends that the friend take the time to document everything – date, time, who she talked to, etc.

ITEM 6: ITEMS TO DISCUSS

- A. Introduction of new member Matthew Loehman: Mr. Loehman introduced himself to the board.

- B. Discussion about Silver Avenue traffic signals with City Councilor Benton: The board explained to Councilor Benton that it believes there is a lot of traffic at 625 Silver by persons with disabilities, and they're concerned because there have been a few traffic related accidents involving disabled persons at that intersection. The board explained to Councilor Benton that the accidents seem to be the result of switching from a traffic signal to a four-way stop at that intersection. The board has

asked DMD if the four-way stop could be converted back to a traffic signal and DMD said it was not that easy.

Member McNiven explains that she works in the building at 625 Silver, and she has witnessed a few traffic accidents involving disabled pedestrians since the signal was changed to a four-way stop. Member McNiven is advocating for the traffic signal to be re-installed at this intersection to protect persons using the crosswalk. Member Smith explained that she has also encountered problems at the Silver intersection, and she is also advocating for the re-installation of the traffic signal to protect persons crossing the road at that intersection. The members explained there are several organizations located at 625 Silver that provide services to the disabled community, so there is a considerable amount of pedestrian traffic at the Silver intersection.

Councilor Benton explained that the problem with the traffic signal that existed at the Silver intersection is that it was not warranted by the levels of traffic in that area. The traffic engineers said this intersection did not need a signal. A walkability study was done before the signal was removed. Member McNiven inquired as to whether or not the disabled community was involved in the walkability study, and Councilor Benton said the question would need to be directed to the person who the City contracted with to do the walkability study. Councilor Benton also explained that the board's correlation between the removal of the traffic signal at the Silver intersection and accidents that have occurred there is anecdotal. There needs to be evidence that the change is what is causing the problem. Councilor Benton explained that 625 Silver is in his district, and that he did sponsor removal of the traffic signals after the study was done. He told the board that he would not be against the board making a formal recommendation to the City asking for the traffic signal at the Silver intersection to be re-installed or even asking for an enhanced traffic signal for that intersection.

Member Cushnyr said she had read the initial walkability study prior to this meeting, and she had tried to call the consultant who prepared the walkability study to ask questions but he did not return her call. Member Cushnyr will continue to try and reach out to the consultant. Member Cushnyr noted the walkability study he prepared for the City in 2014 does not consider the disabled population, and there are many recommendations in the study that were not adopted. The study was commissioned by former City Councilor Meyer, and was paid out of her set aside for the district per Councilor Benton.

Policy Analyst Diane Dolan explained that a follow up study was done about a year ago and that study revealed that accidents had decreased after the stop signs were installed. Ms. Dolan said she would provide a copy of the study she referenced to the board.

Councilor Benton indicated that he would take into consideration and was not automatically opposed to any recommendations made by the Council regarding re-installing or asking for an enhanced traffic signal for Silver Ave. He would, however, like to see more than anecdotal evidence of the necessity for such a change. Councilor Benton and Diane Dolan exited the Council Chambers.

Chair O'Hare asked the board what its next step should be in regards to this matter. Member McNiven suggested finding individuals who have been involved in accidents at the 625 Silver intersection to obtain statements from them. She also suggested obtaining police reports for any accidents at that intersection, and to advocate for another traffic study to be done at the Silver intersection. Member Loehman suggested asking the directors of each organization at 625 Silver to sign a joint letter to the City requesting a traffic study be done at the Silver intersection. Member McNiven suggested contacting each City Councilor's office individually to see if they're familiar with the walkability study and to inquire if they would get behind doing a new traffic study. Member Cushnyr believes the Mayor's office is also interested in re-installing the traffic signals.

- C. International Day of Persons with Disabilities (Dec. 3): Chair O'Hare provided a handout related to International Day of Persons with Disabilities (IDPD). Chair O'Hare suggested that maybe the board can be part of this event next year.

ITEM 7: NEW BUSINESS

Chair O'Hare suggested the board hold some of its regularly scheduled meetings at community centers around town. The other board members expressed interest in this idea. Chair O'Hare will work to set up these meetings for some time starting in February or March of 2019.

Chair O'Hare handed out a resolution for the board's 2019 meetings. A motion to approve Resolution 19-1 was made by Chair O'Hare and it was seconded by Member Strones. The motion was carried by the following vote:

For: 6 – O'Hare, Smith, Strones, McNiven, Cushnyr, Loehman

ITEM 8: ANNOUNCEMENTS FROM MEMBERS

Member Strones requested the name of the person the board talked to last month about security issues, because he is still having problems gaining entry into City Hall for the ADA board meetings.

Member Cushnyr asked if the board has heard anything from the Mayor's office about the transition plan. Chair O'Hare explained that she has been trying to get an update on this matter from Alan Armijo, but he has not yet returned her calls.

Patricia Padrino advised the board that the City's website has been fixed and is again allowing applications from persons interested in applying to be on City boards.

ITEM 9: ADJOURNMENT

The meeting adjourned at 7:00 p.m.

Next regularly scheduled ADA Advisory Board Meeting will be on Tuesday, January 8, 2019 at 5:30 p.m. in the City Council Committee Room.

Terri O'Hare, Chair

Date: _____